

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51054 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Ujuala @ Samiullah Son of Alamgir R/o Village Janerwa P.S. Banjaryia,
Distt. East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sugauli P.S. Case No.
191 of 2017 instituted for the offence under Sections-420/414 of the
Indian Penal Code.

It has been submitted that there is no recovery from
possession of the petitioner. The motorcycle is alleged to have been
recovered from a garage of Hari Mahto and from possession of Mukesh
Yadav. The name of this petitioner has been disclosed by Hari Mahto. It
has been submitted that the other co-accused namely, Upendra Yadav
with similar allegation has been granted anticipatory bail by a
coordinate bench of this court vide order dated 17-10-2017 passed in
Cr. Misc. No. 47400 of 2017.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event of



his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sugauli P.S. Case No. 191 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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