

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58341 of 2017

Arising Out of PS.Case No. -520 Year- 2017 Thana -BIHTA District- PATNA

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1. Uma Shankar Singh @ Sipahi, son of Late Jairam Rai @ Jiram Rai,
resident of Village- Saurmarwa, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bihta P.S. Case No. 520
of 2017 instituted for the offence under Sections-379, 406, 120B &
other minor Sections of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the
other co-accused with similar allegation has been granted anticipatory
bail by this court vide order dated 10-11-2017 passed in Cr. Misc. No.
54089 of 2017.

There is general allegation in the written report that some
persons were excavating sand with Polken Machine. The name of this
petitioner is not mentioned in the FIR but his name has come during
investigation.

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 Bihta P.S. Case No. 520 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur 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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