

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52488 of 2017

Arising Out of PS.Case No. -12 Year- 2015 Thana -DUMARIA District- GAYA

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1. Kaushal Singh S/o Jagnarayan Singh, R/o Village- Pipra, P.S.- Dumariya,
Ditric- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Dumariya P.S. Case No. 12 of 2015 instituted for the offence under Sections-212, 216, 325, 326, 307, 302, 435, 120(B), 379 & other minor Sections of the Indian Penal Code, 27 of the Arms Act, Sections-3, 4 & 5 of Explosive Substances Act 17 of CLA Act & Sec. 10, 11 13(i), 13(ii) U.A.P.A. Act.

It has been submitted that the petitioner has no criminal antecedent. In the written report, there is no specific allegation of any overt act against the petitioner. It has further been submitted that some of the co-accused namely, Dinesh Yadav, Ramesh Bhuiyan with similar allegation have been granted anticipatory bail by a coordinate bench of this court vide orders dated 23-02-2016 & 17-05-2016 Passed in Cr. Misc. Nos. 8018 of 2016 & 9959 of 2016 resepctively.



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 in Dumariya P.S. Case No. 12 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Gaya 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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