

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58286 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -PAHARKATTA District- KISANGANJ

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1. Abdul Sattar @ Sattar, S/o Satabuddin, All are R/o- Dengar Par, P.S.-
Pharkatta, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Sri Harendra Prasad

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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 Pharkatta P.S. Case No.
71 of 2017 instituted for the offence under Sections-379, 414/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that name
of this petitioner has been disclosed by co-accused Tajemul who was
apprehended on tempo along with cutting instrument. He disclosed
before the police that this petitioner and other accused as named in the
written report has called him for cutting electric wire. In paragraph-3 of
the petition, it has been mentioned that the petitioner has no criminal
antecedent.

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 Pharkatta P.S. Case No. 71 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Kishanganj 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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