

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54075 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -DAWATH District- SASARAM (ROHTAS)

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Vishnu Yadav, son of Sidh Nath Yadav, resident of villageAwadhiTola,
P.S. Dawath, Distt. Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dawath P.S. Case No. 103 of 2017** instituted for the offence under Sections 461, 379, 411, 34, 341 and 323 of the Indian Penal Code.

In the written report it is alleged that two buffalo and one buffalo kid have been stolen. The informant and villagers went at the house of father of this petitioner by tracking the footsteps of the cattle's where from the back side of boundary wall, they saw the cattle and identified them.

Learned counsel for the petitioner has submitted that alleged cattle is said to have been recovered from the house of the petitioner, but in the seizure list there is no signature of either of the petitioner or of his family members.

The seizure list has been enclosed with the written report wherein it is alleged that the cattle was recovered from the house of



father of this petitioner but there is no signature either of father of this petitioner or any of the family members.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Dawath P.S. Case No. 103 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Bikramganj, Distt. Rohtas**, subject to the conditions as laid down under Section 438 (2) 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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