

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54374 of 2017

Arising Out of PS.Case No. -193 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

=====

Birendra Prasad, son of Braham Deo Prasad, resident of Kaushik Nagar,
P.S.-Hilsa, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Jayaswal, Advocate

For the Opposite Party/s : Mr. Rajballabh Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 10-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Islampur P.S.**

Case No.193 of 2017 instituted for the offence under Section(s)
379, 411 Indian Penal Code.

Counsel for the petitioner has submitted that name
of this petitioner has come merely on suspicion. He is owner of
the truck, which was allegedly found missing from the place of
occurrence.

The Informant has alleged that eight trucks were
found missing, which were seized by the police. Informant has
alleged that drivers and owners have taken those trucks after
playing fraud with security personnel present there.

It has been submitted that similarly situated one of
the co-accused has been granted anticipatory bail by a co-



ordinate Bench of this Court by order dated 03.10.2017 passed in Cr. Misc. No.42154 of 2017.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Islampur P.S. Case No.193 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, Hilsa, Nalanda**, 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)

JA/-

U		T	
---	--	---	--

