

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56814 of 2017

Arising Out of PS.Case No. -198 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Ashok Rai Son of Bind Rai Resident of Mohalla - Sidhighat, P.S. -
Khajekalan, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Iftekhar Mahmood

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ghorashan P.S. Case No. 198 of 2017 instituted for the offence under Sections-279 & 427 of the Indian Penal Code and 3 of Prevention of Damage Property Act, 1984.

It has been submitted that offence under Sections-279 and 427 of the Indian Penal Code are bailable and no offence u/S 3 of Prevention of Damage Property Act, 1984 is made out. There is allegation that the petitioner who was driver of the vehicle in question dashed on the transformer near the road on account of which, it got damaged and the electric current was suspended.

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 Ghorashan P.S. Case No. 198 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Motihari, East Champaran 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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