

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12201 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -DELHA District- GAYA

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1. Shiv Kumar Yadav, son of late Chetu Yadav, resident of village -
Baigowan, P.S. Paraiya, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 20-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Delha P.S.
Case No.01 of 2017 instituted for the offence under Section(s)
381 Indian Penal Code.

It is alleged in the written report that the informant
found kerosene oil short from his depot of kerosene oil. It is
further alleged that the employee of this petitioner, Suba Sao, told
him that in the night this petitioner forcibly locked him in the
room and took out kerosene oil from the tank.

In this manner, from the written report itself, it
appears that the petitioner was not present at the spot and the
name of this petitioner was disclosed by the employee of the
informant.



It is stated in para 3 of the petition that petitioner has clean antecedents.

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 Delha P.S. Case No.01 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 Chief Judicial Magistrate, Gaya, 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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