

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.10735 of 2017**

Arising Out of PS.Case No. -64 Year- 2016 Thana -NARKATIYAGANJ RAIL P.S. District-  
WESTCHAMPARAN(BETTIAH)

=====

1. Ashrafullah @ Chhotak, S/O Athar Hussain, Resident of Village-  
Kandhwaliya, P.S.- Lauriya, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3 18-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Rail P. S.  
Narkatiaganj Case No. 64 of 2016 instituted for the offence under  
Section-414 of the Indian Penal Code.

It has been submitted that the petitioner has clean  
antecedent. He is named in the first information report.

From the order of the Sessions Judge, it appears that  
one motorcycle was recovered from Ram Kumar Yadav who told  
that he had purchased the motorcycle from Sajjad Ansari.

C.D. has been received.

Learned APP referring to the C.D. submits that it has  
come during supervision note that this petitioner has got that  
motorcycle sold to Sajjad from one Babulal.

In such circumstances, prayer for anticipatory bail of



the petitioner is allowed. It is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four 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 Rail P. S. Narkatiaganj Case No. 64 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate (Rail), Bettiah, West 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 petitioners 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)**

A.K.V./-

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