

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31916 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -INARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Inesh Yadav Son of late Indradeo Yadav Resident of Village- Bairiya,
P.S. - Inarwa, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 13-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Inarwa P.S.
Case No. 35 of 2017 instituted for the offence under Sections-341,
353, 323, 504 of the Indian Penal Code.

As per written report, while the informant was on
patrolling duty at India-Nepal border, he received a secret
information that the smuggling of paddy from India to Nepal is to
be done. The informant reached near Pillar No. 419/18 and he saw
a tractor loaded with paddy. When the informant tried to stop the
tractor, then the petitioner forcibly got entered the loaded tractor
into Nepal after scuffle.

Learned counsel for the petitioner pointed out that the



occurrence is alleged to have taken place on 11-05-2017 and the case is shown to be registered on 12-05-2017 but the same has been sent to the court of learned Chief Judicial Magistrate on 16-05-2017 which is apparent from the written report as the same has been seen by learned Chief Judicial Magistrate on 16-05-2017. It is submitted that the petitioner has filed complaint case against the informant on 16-05-2017 vide Annexure-2 and thereafter, as a counter blast this case has been filed by the informant.

Accordingly, prayer for anticipatory bail is allowed. 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 Inarwa P.S. Case No. 35 of 2017 to the satisfaction of Sri M. Kumar, learned Judicial Magistrate-Ist Class, 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)

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