

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40887 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -JAMHORA District- AURANGABAD

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1. Sudhanshu Kumar, Son of Baleshwar Singh, Resident of Village- Pipara,
P.S.- Jamhore, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-09-2017 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Jamhore P.S.

Case No. 08/2017 instituted for the offence under Section 379 of the

Indian Penal Code.

It is alleged in the written report that this petitioner has

stolen attachi of the informant.

The occurrence is said to have taken place on

30.11.2016, but the written report was filed after one and half

months on 18.01.2017.

Learned counsel for the petitioner has submitted that

the petitioner is a student having clean antecedent. The daughter of

the informant, namely, Priyanka Devi, has stated during course of

investigation before the police that the attachi was stolen by her



brother-in-law. From the written report it appears that there was no recovery of any incriminating article from possession of the petitioner.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Jamhore P.S. Case No. 08/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 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 tamper 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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