

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44846 of 2017

Arising Out of PS.Case No. -88 Year- 2015 Thana -JAMALPUR District- MUNGER

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Md. Saiban @ Sahban, Son of Arif, Resident of 13 no. gali, Kanka Bara,
P.S.- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jamalpur P.S.

Case No. 88 of 2015 instituted for the offence under Sections 379
and 411 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner was not caught on the spot. His name has been disclosed
by co-accused who has been caught on the spot. It has further been
submitted that the petitioner has no criminal antecedent.

In the written report there is allegation that three
persons came on Motorcycle while the informant had gone to
purchase vegetable. One of the persons came near her and
snatched golden chain and purse from her possession and fled
away on the Motorycle.



It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, 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 Jamalpur P.S. Case No. 88 of 2015, 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 learned Chief Judicial Magistrate, Munger, 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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