

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45717 of 2017

Arising Out of PS.Case No. -161 Year- 2017 Thana -BANIAPUR District- SARAN

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Pappu Singh @ Mithilesh Singh, Son of Punyadeo Singh, r/o village-
Manikpura, P.S.- Baniyapur, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Baniyapur P.S.

Case No. 161 of 2017 instituted for the offence under Sections 420 and
379 of the Indian Penal Code.

In the instant case it is alleged that the jewellery and other
articles were kept in the vehicle, of which the petitioner was driver. It is
further alleged that after *Duwar Puja*, the informant did not find the
aforesaid vehicle including the articles kept in the vehicle. He suspects
the hands of the driver in removal of the aforesaid articles.

It has been submitted on behalf of the petitioner that he
has no criminal antecedent. It has been submitted that the petitioner had
just gone for call of nature and in the meantime, the vehicle has been
stolen. The petitioner informed the owner of the vehicle and, thereafter,
Baniyapur P.S. Case No. 162 of 2017 has been lodged at the instance of



the owner of the vehicle. As such, mere suspicion has been raised against the petitioner.

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 Baniyapur P.S. Case No. 161 of 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 learned Additional Chief Judicial Magistrate-XI, Saran at Chapra, 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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