

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40906 of 2017

Arising Out of PS.Case No. -472 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Rajesh Choubey, son of Radheshyam Choubey, Resident of Village-
Gaighat, P.S.- Kudara, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bhabua P.S.

Case No. 472 of 2016 instituted for the offence under Section 379
of the Indian Penal Code.

It is alleged by the informant that Mobile phone and
Rs.400/- cash have been stolen away by some unknown while he
along with Nati of Rajwansh Tiwari was going for treatment of
Rajwansh Tiwari in the Sadar Hospital.

Petitioner is not named in the written report. The
name of this petitioner has come during investigation as appears
from the impugned order, on the basis of SIM, which is said to be
found in the name of wife of this 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 Bhabua P.S. Case No. 472 of 2016, 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, Kaimur at Bhabua, 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.

S.Ali/-

(Sanjay Priya, J)

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