

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37471 of 2017

Arising Out of PS.Case No. -455 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Vivek Kumar Yadav, son of Jamindar Yadav @ Jamindar Prasad Yadav, resident of Village- Bari Masjid, Kabristan, Ward No. 11, P.S.- Khagaria, District- Khagaria. Permanent address- resident of Village- Ekaniya, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

9/ 13-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Khagaria P.S.**

Case No.455 of 2017 instituted for the offence under Section(s) 272, 273/34 Indian Penal Code and Section 30 (a) of the Bihar Prohibition Excise Act, 2016.

Counsel for the petitioner has submitted that alleged recovery has been made from a graveyard situated in the north of the house of Jamindar Yadav, which is apparent from the seizure list. Name of the petitioner has come merely on suspicion. Petitioner has clean antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Khagaria P.S. Case No.455 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge, III, Khagaria**, 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.

JA/-

(Sanjay Priya, J)

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