

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52011 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

=====

Prem Kumar Patel, S/o Gulab Chand Chopudhary Resident of Village-Ram
Nagar, P.S.-Nokha Distt.-Rohtas (Sasaram).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate.

For the Opposite Party/s : Smt. Pronati Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Nokha P.S. Case No. 148 of 2016** instituted for the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that he is not named in the written report. The written report has been filed against unknown alleging that three unknown persons snatched the Mobile phone and cash of Rs.62,000/- from the informant. It has further been submitted that the petitioner has clean antecedent.

The learned Sessions Judge has mentioned in the impugned order that the informant in paragraph-2 and other witnesses in paragraph-5 and 6 of the case diary have denied to identify the accused persons. The name of this petitioner has come on the basis of information given by spy as mentioned in paragraph-19 of the case



diary and, thereafter, one co-accused Prakash Kumar Pandey has taken the name of this petitioner in his confessional statement.

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 **Nokha P.S. Case No. 148 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, Rohtas (Sasaram)**, 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)

S.Ali/-

U		T	
---	--	---	--

