

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60191 of 2017

Arising Out of PS.Case No. -66 Year- 2010 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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Sachin Kumar, s/o Ramnaresh Sahani r/o Vill Sarotar, P.S. Dumaria ghat,
District E Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dumariaghat P.S.**

Case No. 66 of 2010 instituted for the offence under Sections 461, 379,
411 and 414/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that he
was the night guard in the school. He informed the Headmaster about
theft of computer of the school and, thereafter, the Headmaster has filed
the written report. The police after investigation has submitted Final
Form stating that there is no evidence against the petitioner but the
learned court below after differing with the opinion of Investigating
Officer, has taken cognizance against the petitioner also.

From the written report itself it appears that theft has been
committed by some unknown persons.

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 **Dumariaghat P.S. Case No. 66 of 2010**, 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, East Champaran, at Motihari**, 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.

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(Sanjay Priya, J)

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