

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47452 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -KAKO District- JEHANABAD

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Pappu Yadav @ Pappu Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Soni Shrivastava, Advocate.

For the informant : Mr. Raushan Kumar, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Kako P.S. Case No. 108 of 2017 instituted for the offence under Sections 147, 148, 149, 341, 326, 307 and 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there is no specific overt act against this petitioner. It has further been submitted that petitioner is merely member of unlawful assembly.

Learned counsel for the informant has appeared and submitted that petitioner has criminal antecedent and total seven cases are pending against him as mentioned in paragraph-3 of the bail petition.

The counsel for the petitioner has submitted that petitioner is in bail in five of the aforesaid seven cases and in one of the case, compromise has taken place between the parties. The seventh one is for the offence under Sections 341 and 323 of the Indian Penal Code.



From the entire First Information Report, this Court finds that there is no specific overt act 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 Kako P.S. Case No. 108 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 Shri R.K. Rajak, Sub Judge-4, Jehanabad, 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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