

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26681 of 2017

Arising Out of PS.Case No. -127 Year- 2016 Thana -PARAIYA District- GAYA

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1. Awadhesh Kumar, son of Ram Lakhan Singh @ Ram Lakhan Sharma,
resident of village- Chhakan Bigha, Police Station- Paraiya, District-
Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 06-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Paraiya P.S.
Case No.127 of 2016 instituted for the offence under Section(s)
379, 411 Indian Penal Code.

Petitioner is not named in the First Information
Report. From the impugned order, it appears that name of this
petitioner was disclosed by the informant in his further statement
in para 14, wherein, he disclosed that the petitioner was taking
motor to sell it to one Alok Kumar. On seeing the police, he left
the motor and fled away.

As such, from the further statement also, there is no
recovery of motor from the possession of this petitioner.

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 Paraiya P.S. Case No.127 of 2016, 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 Judicial Magistrate, 1st class, Gaya, 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)

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