

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8679 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -GARAUL District- VAISHALI(HAJIPUR)

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1. Shiv Kumar Ram S/o Late Sikdev Ram. R/o Village harpur Arera, P.S. Goraul. Distt. Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-04-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Goraul Police Station Case No. 171 of 2016, disclosing offences under Sections 124(A) of the Indian Penal Code and Section 17 of the C.L.A. Act.

Learned counsel for the petitioner has submitted that though the petitioner has been named in the F.I.R. on the basis of alleged recovery but the seizure list does not contain signature of this petitioner nor the signature or thumb impression of his family members, which is in violation of Section 100 (7) Cr. P.C. Except seizure list, which is without following due procedure, nothing is against this petitioner. Nothing has been



recovered from the conscious possession of this petitioner, which is evident from seizure list. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on 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, S.D.J.M., Hajipur, Vaishali, in connection with Goraul Police Station Case No. 171 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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