

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47266 of 2017

Arising Out of PS.Case No. -75 Year- 2011 Thana -NABINAGAR District- AURANGABAD

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Afzal Khan @ Afzal Kha @ Afjal Khan Son of Late Abdul Hamid Khan,
R/o Village- Subedar Bigha, P.S.- Husainabad, District- Plamu (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Nabinagar P.S.

Case No. 75 of 2011 instituted for the offence under Section 395
of the Indian Penal Code.

There is allegation in the written report that 8 to 10
miscreants entered into the house of the informant and took away
different items as mentioned in the written report.

It has been submitted that petitioner has no criminal
antecedent. His name has been disclosed by co-accused Raju
Paswan who was apprehended on the spot. It has further been
submitted that no recovery has been made from possession of 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 Nabinagar P.S. Case No. 75 of 2011, 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, Aurangabad, 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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