

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55233 of 2017

Arising Out of PS.Case No. -177 Year- 2017 Thana -BIKRAMGANJ District- SASARAM (ROHTAS)

Bindeshwari Singh, Son of Late Bashishth Singh, R/o Village- Kahuwara, P.S.- Bikramganj, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dhaneshwar Prasad Gupta, Advocate.
For the Opposite Party : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-11-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner apprehends his arrest in Bikramganj P.S. Case No.177 of 2017 for the offence under Section 379 of I.P.C.

As per the F.I.R. there is allegation against the petitioner of committing of theft of the motor cycle of son-in-law of the informant.

Counsel for the petitioner has submitted that the petitioner has clean antecedent. He has been implicated in this case merely on suspicion. The occurrence is said to have taken place on 26.5.2017 but the F.I.R. was lodged on 23.6.2017. In the impugned order the learned Sessions Judge has mentioned about various paragraphs of the case



diary which shows that there is no recovery from the conscious possession of the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of A.C.J.M, Bikramganj, Rohtas, in Bikramganj P.S. Case No.177/17 subject to the conditions as laid down under Section 438 (2) of 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.

AnilKrSinha/-

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(Sanjay Priya, J)

