

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.62432 of 2017**

Arising Out of PS.Case No. -10 Year- 2017 Thana -BHAGWANGANJ District- PATNA

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Suraj Kumar, S/o Sanjay Singh, resident of Village- Rukunpura, O.P.- Okri,  
P.S.- Ghoshi, District- Jehanabad.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Bisheshwar Ram, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      21-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bhagwanganj**

**P.S. Case No. 10 of 2017** instituted for the offence under Section  
379 of the Indian Penal Code.

In the written report it is alleged that some unknown  
persons had stolen Kirloskar Motor from cabin of Sabia Khatoun  
where the informant was working as a Guard.

Learned counsel for the petitioner has submitted that  
petitioner is not named in the First Information Report. There is  
no recovery from conscious possession of this petitioner. The  
name of this petitioner has been disclosed by co-accused Rajesh  
Kumar @ Golu in Masaurhi P.S. Case No. 46 of 2017 and,  
thereafter, merely on such statement, the petitioner has been made



accused in this case.

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 **Bhagwanganj P.S. Case No. 10 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 Sri Ranjay Kumar, **learned Judicial Magistrate, 1<sup>st</sup> Class, Masaurhi, Patna**, 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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