

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30908 of 2018

Arising Out of PS. Case No.-38 Year-2017 Thana- SIDHWALIA District- Gopalganj

Pawan Kumar Barnawal, S/o Radhakishun Prasad, R/o Vill.- Nai Bazar,
Mairwa, P.S.- Mairwa, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Sidhwalia P.S.
Case No. 38 of 2017 instituted for the offence under Sections
406,409,34 of the IPC.

In the written report, it is alleged that the pick up van
from which 68 bags of rice of mid day meal were supplied met
with an accident. Petitioner is said to be the agent.

Learned counsel for the petitioner submits that the
driver and owner of the vehicle have already been granted
anticipatory bail by this Court vide Cr. Misc. No. 32654 of 2017
order dated 29.08.2017.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner, named above, in the



event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sidhwalia P.S. Case No. 38 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Gopalganj, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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