

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33465 of 2018

Arising Out of PS. Case No.-176 Year-2017 Thana- NALANDA District- Nalanda

Awadhesh Yadav, S/o Suresh Yadav, R/o Vill.- Dumrawan, P.S.- Deepnagar,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Nalanda P.S. Case No. 176 of 2017 instituted for the offence under Sections 302,201/34 of the IPC and under Section 27 of the Arms Act.

Learned counsel for the petitioner submits that he is not named in the FIR. The name of this petitioner has been disclosed during course of investigation by one Shipu Yadav, who was arrested by the police. It has been further submitted that similarly situated co-accused Vinay Yadav@ Vinay Kumar has already been granted anticipatory bail by coordinate Bench of this Court vide order dated 28.03.2018 passed in Cr. Misc. No. 5955 of 2018.

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 Nalanda P.S. Case No. 176 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, 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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