

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41302 of 2018

Arising Out of P.S.C.ase No. -84 Year- 2018 Thana -NAYA RAM NAGAR District- MUNGER

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1. Kunal @ Kunal Kumar @ Shivam @ Shivam Kumar @ Vivek Kumar
son of Krishna Nand Yadav, resident of Village/ Muhalla- Patam, Police
Station Naya Ram Nagar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Naya Ram
Nagar P.S. Case No. 84/2018, instituted for the offences under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner has submitted that
the petitioner has not been apprehended on the spot.

In the written report, it is alleged that two persons were
apprehended on the spot, namely, Amlesh Kumar @ Amul and
Sadhna Devi. It is alleged that co-accused Amlesh Kumar @ Amul
disclosed the name of this petitioner which has no evidentiary value
in the eye of law.

Considering the facts and circumstances of the case, the



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 Naya Ram Nagar P.S. Case No. 84/2018, 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 the learned Additional Chief Judicial Magistrate, 1st, Munger, subject to the conditions as laid down under Section 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 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 tamper 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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