

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15881 of 2018

Arising Out of PS.Case No. -117 Year- 2017 Thana -PHULWARIA District- BEGUSARAI

=====

Md. Shahfahad, S/o Md. Gani, R/o Village- Baro, P.S.- Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate.

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

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Phulwaria P.S. Case No. 117 of 2017** instituted for the offence under Sections 147, 148, 149, 153(A), 353(A), 295(A), 332, 327, 337, 427 of the Indian Penal Code and Section 3/4 of Explosive Substance Act.

Learned counsel for the petitioner has submitted that petitioner is not named in the written report. His name transpired during investigation along with other co-accused persons on the basis of statement made by the Government official. It has further been submitted that other co-accused persons who were members of unlawful assembly have been granted anticipatory bail by this Court vide order dated 17.01.2018 passed in Cr. Misc. 2404 of



2018.

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 **Phulwaria P.S. Case No. 117 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 Raghubir Prasad, learned Judicial Magistrate, 1st Class, Begusarai**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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)

S.Ali/-

U		T	
---	--	---	--

