

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8966 of 2018

Arising Out of PS.Case No. -134 Year- 2016 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Setu Singh S/o Pramod Singh @ Pramod Kumar, R/o Mohalla- Mikal
Colony Baswariya, P.S.- Town Bettiah, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Satyendra Kumar Srivastava

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection
with Paharpur P.S. Case No. 134/2016 instituted for the offence
under Section 392 of the Indian Penal Code.

It has been alleged in the written report that while the
informant was coming to his house along with his *Bhabhi*, in the
way, three miscreants on the point of knife looted his motorcycle
and also threw his mobile in the water.

Learned counsel for the petitioner has submitted that
the F.I.R. is against unknown. The name of the petitioner has
come in confessional statement of co-accused Suraj Kumar, which
appears from para 41 of the case diary. It has further been
submitted that the petitioner has got no criminal antecedent.



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 Paharpur P.S. Case No. 134/2016, 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 Chief Judicial Magistrate, Motihari, East Champaran, 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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