

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47926 of 2017

Arising Out of PS.Case No. -172 Year- 2010 Thana -BEUR District- PATNA

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Anoj Kumar, Son of Surya Deo Prasad, R/o Village- Bagha Bigha, P.S.-
Masurhi, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Narayan Singh, Advocate.

For the Opposite Party/s : Smt. Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 30-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Beur P.S. Case No. 172 of 2010** instituted for the offence under Section 396 of the Indian Penal Code.

It is alleged in the written report that in the intervening night of 8/9.12.2010 six unknown criminals entered into the house of the informant and looted the house hold articles, ornaments, cash etc. and also committed murder of father of the informant by firearms.

It has been submitted that petitioner has no criminal antecedent. He is not named in the written report. His name has come in the confessional statement of co-accused Ramu Kumar and Dharmveer Prasad @ Gorakh.

Photocopy of case diary along with post mortem report has been received.



Learned A.P.P. after perusing the case diary has submitted that there is no allegation of any specific overt act against the petitioner in the case diary.

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 **Beur P.S. Case No. 172 of 2010**, 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 **Smt. Sarita Rani, learned Judicial Magistrate, 1st Class, Patna**, 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 their 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)

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