

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5233 of 2018

Arising Out of PS. Case No.-177 Year-2017 Thana- PIPRA District- East Champaran

Rajesh Baitha @ Rajesh Kumar Baitha, son of Jhagru Baitha @ Zagaru
Baitha, resident of Village- Pipra Dih, P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar
For the Opposite Party/s : Mr. Anant Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-02-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Pipra P.S. Case No. 177 of 2017 instituted for the offence under Section 414 of the IPC and Section 11 of the Bengal Public Gambling Act, 1867.

Learned counsel for the petitioner has submitted that the petitioner has not been apprehended on the spot. His name has surfaced on the basis of statement of the co-accused Chandan Kumar before the police, who was apprehended on the spot. There is no recovery from possession of this petitioner. It has been further submitted that the other co-accused having similar allegation has already been granted anticipatory bail by this court vide order dated 15.02.2018 passed in Cr. Misc. No. 62248 of 2017 with Cr. Misc. No. 62036 of 2017.

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 Pipra P.S. Case No. 177 of 2017 to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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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