

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51843 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -BUDDHACOLONY District- PATNA

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1. Bindeshwari Kumar @ Bindeshwari Saw (Constable 5990), Patna District Force) S/o Rajendra Mandal, R/o Tarapur Dhauni, P.S.- Dhauni, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 25-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Buddhacolony P.S. Case No. 58 of 2017 instituted for the offence under Sections-420, 379 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there is no recovery of any fire arms from possession of the petitioner.

It is alleged that one police rifle was recovered from possession of brother-in-law of the petitioner from Sasural of this petitioner. The brother in law of the petitioner told on interrogation that the said rifle has been given to him by this petitioner, who is a constable in Patna.

As such, from the written report itself, it appears that there is no recovery of any police rifle from possession of this petitioner.

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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Buddhacolony P.S. Case No. 58 of 2017 to the satisfaction of Smt. Ritu Kumari, learned Judicial Magistrate-Ist Class, Patna subject to condition as laid down u/S 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 liable to cancel bail bond of the petitioner 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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