

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40823 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- BARUN District- Aurangabad

Bholi Yadav @ Sikandar Kumar S/o Janeshwar Singh, R/o Vill.- Barun
Khemda (Near College), P.S.- Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Barun P.S. case no. 97 of
2018 instituted for the offence under Sections
147,148,149,341,323,324,307,332, 333, 353, 395, 436, 504 and
120B of the Indian Penal Code and Section 3/4 of Prevention of
Damage Public Property Act, 1984.

Learned counsel for the petitioner has submitted that
petitioner is only alleged to be a member of unlawful assembly.
There is no any allegation of specific overt act against this
petitioner. It is further submitted that similarly situated co
accused persons of this case have already been granted
anticipatory bail by co-ordinate Bench of this Court vide orders
dated 4.7.18, 6.7.18 passed in Cr. Misc. nos. 37333 of 2018 and



39234 of 2018 as well as this Court vide order dated 3.7.18 passed in Cr. Misc. no. 38183 of 2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Barun P.S. case no. 97 of 2018, 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 CJM, Aurangabad 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 absence on two consecutive dates without proper and reasonable reason will automatically 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)

shyambihari/-

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

