

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45861 of 2018

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1. Deepak Kumar @ Paisathwa @ Paisath Ray S/o Bhushan Ray, R/o Vill.-
Ranipur Rasalpur Jhauganj, P.S.- Mehandiganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Ram Krishna
Nagar P.S. Case No. 85/2018, instituted for the offences
punishable under Sections 399 and 402 of the Indian Penal Code
read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner has submitted that
the petitioner was not apprehended on the spot. Police has alleged
that he apprehended two persons, namely, Banti Kumar and
Gorakh Nath Yadav and firearm has been recovered from their
possession. It is alleged that confessional statement of Banti
Kumar was recorded who disclosed the name of this petitioner as
one of the members of the gang.

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 Ram Krishna Nagar P.S. Case No. 85/2018, 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 learned Sub Judge XII-cum-A.C.J.M., Patna, 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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