

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2212 of 2018

Arising Out of PS.Case No. -218 Year- 2017 Thana -MADANPURA District- AURANGABAD

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Dasrath Yadav, S/o Late Ram Dev Yadav, R/o Village- Badal Bigha, P.S.-
Madanpur, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Madanpur**
P.S. Case No. 218 of 2017 instituted for the offence under
Sections 394, 120B and 411 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is no recovery of Tractor from possession of this petitioner.
The apprehended driver disclosed his name as Ajeet Mali from
whose possession the Tractor has been recovered. He also
disclosed the name of other accused persons as Pappu Lohar,
Sanjay Yadav and Bindu who had looted the Tractor. The
allegation against this petitioner is that he disclosed location for
looting the Tractor.

In this manner, there is no allegation of any specific



overt act against this petitioner.

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 **Madanpur P.S. Case No. 218 of 2017**, 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 **learned Chief Judicial Magistrate, 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 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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