

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.950 of 2018

Arising Out of PS.Case No. -105 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Aftab @ Md. Aftab, son of Rabul, resident of Village- Gadhiya, P.S.-
Madhuban, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Madhuban P.S. Case
No. 105 of 2016 instituted for the offence under Sections-379, 414/34
of the Indian Penal Code.

It has been submitted that three persons were apprehended
on the spot and they disclosed the name of this petitioner.

As per written report, there is no recovery of any
incriminating article from possession of the petitioner. The petitioner
was not apprehended on spot. It has been mentioned at paragraph-3 of
the petition that the petitioner has clean antecedent.

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 Madhuban P.S. Case No. 105 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, East Champaran, Motihari 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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