

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2181 of 2018

Arising Out of PS.Case No. -38 Year- 2015 Thana -ASARGANJ District- MUNGER

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Mithun Paswan, S/o Sikandar Paswan, R/o Village- Asha Jorari, Post Gonai
Jorari, P.S.- Asarganj, Distt.- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Advocate.
Mr. Maran Pd. Singh-2, Advocate.
Mr. Sagar Suman, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Asarganj P.S.**

Case No. 38 of 2015 instituted for the offence under Sections 395
and 397 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. There is no recovery
of any incriminating article from possession of this petitioner.

Case diary has been received.

The name of this petitioner has transpired in
paragraphs 52, 53 and 57 of the case diary. Some witnesses have
taken the name of this petitioner that he along with other accused
persons were talking about some looted articles but there is no



recovery of any incriminating article from possession of 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 **Asarganj P.S. Case No. 38 of 2015**, 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 Judicial Magistrate 1st Class, Munger**, 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 his 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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