

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19905 of 2018

Arising Out of PS.Case No. -489 Year- 2017 Thana -FATUHA District- PATNA

=====

1. Upendra Yadav @ Upendra Kumar, son of Ram Prasad Yadav @ Ram Prasad Gope, resident of Village- Mirzapur Nohta, P.S.- Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 27-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Fatuha P.S. Case No.489 of 2017** instituted for the offence under Section(s) 341, 323, 307, 353, 224 Indian Penal Code.

In the written report, it is alleged that this petitioner managed to run away from the police custody after assaulting one of the Constable with brick on his hand.

Counsel for the petitioner has submitted that no offence under Section(s) 307 Indian Penal Code is made out in the case. Counsel for the petitioner has further submitted that there is no mention in the First Information Report as to in which case the petitioner was in custody before the police.

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 **Fatuha P.S. Case No.489 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 the **Judicial Magistrate, 1st class, Patna City, Patna**, 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)

JA/-

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

