

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14805 of 2018

Arising Out of PS.Case No. -272 Year- 2017 Thana -MAJHAHGARH District- GOPALGANJ

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Kameshwar Prasad, son of Late Ganesh Prasad, resident of Village-
Pyarepur, Police Station- Barauli, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 08-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Barauli P.S. Case No. 272 of 2017, G.R. No. 4641 of 2017** instituted for the offence under Sections 328, 396, 412, 413 and 120B of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the First Information Report is against unknown.

In the written report it is alleged that informant learnt during search, that some unknown miscreants have got Khalasi and driver of the truck disappeared somewhere along with the articles loaded in it.

Learned A.P.P. has submitted that name of this petitioner has come in the confessional statement of co-accused Veera Chaudhari. He has stated that he sold 55 tins of mustard oil to the petitioner and received payment from this petitioner amounting to Rs.83,000/-.



Besides such material, there is no allegation of any specific overt act against the 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 **Manjhgarh P.S. Case No. 272 of 2017, G.R. No. 4641 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, Gopalganj**, 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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