

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54049 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Sachin Sah @ Sachin Kumar son of Shambhu Prasad Sah, resident of Village- Dharhara, P.S.- Sarai, District- Vaishali.

.... 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. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sarai P.S. Case No. 99 of 2017 instituted for the offence under Sections 448,384,506/34 of the IPC and Section 27 of Arms Act.

Learned counsel for the petitioner has submitted that he has clean antecedent and not named in the FIR. His name has come during investigation on the basis of confessional statement of Ajit Kumar, who was apprehended by the police. In the written report it is alleged that on 19.6.2017, at 8 pm, two boys came to him and handed over a card, which was addressed to the informant allegedly, by Maosists demanding ransom of Rs. 15 lacs.

As such, the petitioner is not named in the FIR. There is no specific allegation of overt act against this petitioner.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of their 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sarai P.S. Case No. 99 of 2017 to the satisfaction of learned C.J.M., Vaishali at Hajipur 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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