

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62760 of 2017

Arising Out of PS.Case No. -440 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Gariban Yadav, son of Mahesh Yadav, resident of Village- Bhawani
Bigha, P.S.- Chiksaura, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 16-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Hilsa P.S. Case No.440 of 2017** instituted for the offence under Section(s) 395 and 412 Indian Penal Code.

Counsel for the petitioner has submitted that he is not named in the First Information Report. His name has come in the confessional statement of co-accused-Feku Yadav. Police has prepared one common seizure list and has alleged that these articles have been recovered from the house of this petitioner.

It has been submitted that co-accused, Akhilesh Yadav @ Thetha, has been granted anticipatory bail by this Court by order dated 08.02.2018 passed in Cr. Misc. No.63441 of 2017.

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 **Hilsa P.S. Case No.440 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 **Chief Judicial Magistrate, Nalanda**, 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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