

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38614 of 2018

Arising Out of PS.Case No. -51 Year- 2017 Thana -DANAPUR RAIL P.S. District- PATNA

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Om Prakash Ram, S/o Lal Bahadur Ram, R/o Vill.- Garhani, P.S.-
Charpokhari, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Rail Danapur**

P.S. Case No. 51 of 2017 instituted for the offence under Section
379 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner has no criminal antecedent. He is not named in the
written report. During investigation, his name has surfaced in
paragraph-28 of the case diary on the basis that he was using the
mobile by inserting SIM in his name which is alleged to be stolen
one. It has further been submitted that petitioner has no knowledge
that aforesaid Mobile was theft article. He was using the SIM as
bona fide customer.

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 in **Rail Danapur P.S. Case No. 51 of 2017, corresponding to G.R. Case No. 475 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 **Additional Chief Judicial Magistrate, Railway, 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)

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