

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1333 of 2018

Arising Out of PS.Case No. -680 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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1. Mithlesh Kumar Jha S/o Bansidhar Jha Resident of village - Puraini, P.S. Tarabari, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Forbesganj (Simraha) P.S. Case No. 680 of 2017 instituted for the offence under Sections 341,324,325,307,120B,427/34 of the IPC and Section 27 of the Arms Act.

Counsel for the petitioner has submitted that petitioner is not named in the FIR. The name of the petitioner has come during course of investigation. In para 58 of the case diary it is stated that the petitioner had provided shelter to other co-accused persons in the school, one night prior to the alleged occurrence. It is submitted in para 3 of the bail petition, petitioner has no criminal antecedent.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his 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 Forbesganj (Simraha) P.S. Case No. 680 of 2017, to the satisfaction of the learned Chief Judicial Magistrate, Araria, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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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