

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9068 of 2018

Arising Out of PS.Case No. -69 Year- 2014 Thana -BISHWAMBHARPUR District- GOPALGANJ

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1. Kalpnath Yadav, S/o Garjan Yadav, R/o Village- Tola Sipaya, P.S.-
Bishambharpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Bishambharpur
P.S. Case No. 69/2014 instituted for the offences under Sections
302/34, 120B and 504 of the Indian Penal Code as well as Section 27
of the Arms Act.

Learned counsel for the petitioner has submitted that
the police did not sent up the petitioner for trial. The petitioner has
been summoned to face trial during course of evidence under Section
319 of the Cr.P.C. It has been submitted that similarly situated co-
accused persons have already been granted anticipatory bail by the
court below itself.

Considering the facts and circumstances of the case, the
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 S.Tr. No. 155/2015, arising out of Bishambharpur P.S. Case No. 69/2014, 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 learned District & Sessions Judge, Gopalganj, subject to the conditions as laid down under Section 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper 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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