

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11332 of 2018

Arising Out of PS.Case No. -164 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Motilal Paswan @ Moti Paswan, Son of Bijali Paswan, Resident of
Village- Krishna Nagar, P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Madhuban P.S. Case No. 164 of 2016** instituted for the offence under Sections 307 and 387/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that he is not named in the written report. There is no allegation of any specific overt act against him. The name of this petitioner has come in paragraphs-26 and 27 of the case diary in the confessional statement of Azadi Kumar and Balmiki Singh. There is no any evidence to show that Mobile number from which the extortion money was demanded, belongs to the petitioner.

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 **Madhuban P.S. Case No. 164 of 2016**, 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 **4th Additional Chief Judicial Magistrate, East Champaran, Motihari**, 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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