

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31060 of 2018

Arising Out of PS.Case No. -587 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Vivek Kumar, Son of Bipin Kumar, resident of Village- Alwan, P.S.-
Parbhatpur, Distt.- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bihar P.S. Case No. 587 of 2017** instituted for the offence under Sections 428 and 379 of the Indian Penal Code.

The First Information Report is against unknown.

Learned counsel for the petitioner has submitted that petitioner has clean antecedent.

In the written report the informant has alleged that various households articles and jewelry along with mobile as mentioned in the written report has been stolen from the house of the informant.

The name of the petitioner has come during investigation in paragraph-23 of the case dairy wherein it is mentioned that mobile of the informant was being used by using the SIM No. 8340194764 by the



petitioner.

Learned counsel for the petitioner has submitted that aforesaid SIM belongs to the petitioner, but he has no knowledge about the aforesaid Mobile being stolen one. No Test Identification Parade was held for the aforesaid Mobile.

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 **Bihar P.S. Case No. 587 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 **Chief Judicial Magistrate, Nalanda at Bihar Sharif**, 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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