

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40804 of 2018

Arising Out of PS. Case No.-476 Year-2017 Thana- SARAIYA District- Muzaffarpur

Awadhesh Sahani S/o Kapileshwar Sahani @ Kaplesr Sahani, R/o Vill.-
Bhlura @ Bhalura, P.S.- Aaurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy
For the Opposite Party/s : Mr. Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Saraiya P.S. Case No.
476 of 2017 instituted for the offence under Section(s) 379, 401,
411, 414 and 120(B)/34 of the Indian Penal Code and Section
25 (1-b)a, 26, 35 of Arms Act.

Learned counsel for the petitioner submits that petitioner
was not apprehended on the spot. In the written report, it is
alleged that the police got information that some miscreants
have preparing to loot the ATM machine. Police apprehended
some of the accused persons as mentioned in the written report,
and made search of them. It is further alleged in the written
report that apprehended persons namely Kamlesh Kumar and
Bhujangi Sahni disclosed the name of this petitioner who
succeeded in running away.



It is mentioned in paragraph no. 3 of the bail petition that petitioner has clean antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Saraiya P.S. Case No. 476 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 the ACJM-1st West Muzaffarpur, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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