

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26628 of 2018

Arising Out of PS.Case No. -356 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

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Sirohan Kumar, S/o Lalan Das, R/o Vill.- Rupauli Gokhula , P.S.- Paroo,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Saraiya P.S. Case No. 356 of 2017** instituted for the offence under Sections 385 and 387 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner has clean antecedent. Co-accused Mohan Kumar was using SIM of the petitioner. Mohan Kumar has admitted this fact in his confessional statement before the police after his arrest. It has further been submitted that during investigation it has come that treatment of aunt of petitioner was going on and when her condition had deteriorated, the brother of the petitioner namely Mohan Kumar along with co-accused Chandan had made a call to get his aunt properly treated. Thereafter, the informant with the help of villagers caught brother of the petitioner namely, Mohan Kumar along with Chandan



Kumar whose mother-in-law was also undergoing treatment in the hospital, and handed him over to the police.

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 **Saraiya P.S. Case No. 356 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 **Additional Chief Judicial Magistrate-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 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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