

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46317 of 2018

Arising Out of PS.Case No. -289 Year- 2017 Thana -RAMGARH District- BHABHUA (KAIMUR)

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1. Izhar Khan @ Bhuar Khan son of Naimullah resident of village - Tajpur Kurra, P.S. - Dildarnagar, District - Gajipur (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Ramgarh (Nuaon) P.S. Case No. 289/2017, instituted for the offence punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that F.I.R. is against unknown. Name of this petitioner has come in the confessional statement of co-accused Gopi Jaiswal. There is no recovery of any article from possession of this petitioner. It is further submitted that other accused persons with similar allegation have already been granted anticipatory bail by this Court in Cr. Misc. No. 31306/2018 dated 13.07.2018.

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 Ramgarh (Nuaon) P.S. Case No. 289/2017, 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 learned Chief Judicial Magistrate, Kaimur at Bhabhua, 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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