

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52582 of 2017

Arising Out of PS.Case No. -499 Year- 2016 Thana -MASAURHI District- PATNA

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Vikash Kumar, S/o Sri Mahendra Yadav, resident of village - Soniama, P.S.
- Dulhin Bazar, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Advocate.

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Masaurhi P.S.**

Case No. 499 of 2016 instituted for the offence under Section 395
of the Indian Penal Code and Section 27 of the Arms Act.

In the written report there is allegation that while the informant was returning from Patna after attending marriage, two persons from front side and three persons from back side, came near the car and fired, which hit the car in the left side and back side. The informant reached the village and informed the police. As such, the petitioner is not named in the written report nor there is recovery of any incriminating article from his possession.

It has been submitted that petitioner is not named in the written report. The name of this petitioner has come in the



confessional statement of one Bijendra Yadav.

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 **Masaurhi P.S. Case No. 499 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 **Sub Divisional Judicial Magistrate, Masaurhi (Patna)**, 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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