IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63330 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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Md. Imran @ Irfan @ Khan @ Vikash @ Imran, Son of Md. Baseer, Resident of Village- Auliyabad, P.S.- Hayaghat, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shaishav Kumar, Advocate.
For the Opposite Party/s : Smt Sangeeta Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-02-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Khanpur P.S. Case No. 04 of 2017** instituted for the offence under Section 394 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner is not named in the written report. There is no recovery from his possession.

Case diary has been received.

The police has mentioned in paragraph 55 of the case diary that the Motorcycle has been recovered unattended in front of Shahpur High School. The name of this petitioner has been disclosed by co-accused Md. Shamim and Sakinder Rai when they were arrested in another case vide Warisnagar P.S. Case No. 97 of

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2017. They disclosed before the police that this petitioner and others were also involved in the occurrence.

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 **Khanpur P.S. Case No. 04 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 Sub Divisional Judicial Magistrate, Samastipur,** 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 their 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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