

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15737 of 2018

Arising Out of PS.Case No. -328 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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Bharat Yadav, S/o Indradeo Yadav, R/o S.H. 15/183- G-13, N. Bhar Lai
Shivpur, Baish Nav, Basti Tarna, P.S.- Shivpur, District- Varanasi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 03-04-2018 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in **Durgawati**
P.S. Case No. 328 of 2017 instituted for the offence under
Sections 379/34 of the Indian Penal Code.
- Learned counsel for the petitioner has submitted that
petitioner is owner of the truck. The truck is still in the premises
of the police station.
- From the written report it appears that petitioner was
not present on the spot. It is further alleged that the informant not
found overloaded truck of the petitioner in the police station
which was seized by the police. Mere suspicion has been raised by
the informant against this petitioner.
- 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 **Durgawati P.S. Case No. 328 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 **Chief Judicial Magistrate, Kaimur at Bhabua**, 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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