

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4551 of 2018

Arising Out of PS.Case No. -351 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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Rohit Kumar, S/o Anuj Paswan, R/o Village- Bela Birra, Post Tilkal Jilkai,
P.S.- Barabar Paryatan, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Makhdumpur**
(Tehta O.P.) P.S. Case No. 351 of 2015, instituted for the offence
under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that First
Information Report is against unknown.

In the written report it is alleged that house owner
Awadhesh Mishra informed the Bank that ATM Machine has been
stolen from his house situated at NH 83 at Tehta. The informant came
Tehta and inspected the damaged A.T.M. and found that ATM Machine
which contained about Rs.9,50,000/- was missing. Thereafter, the
instant case has been lodged.

The Police during investigation arrested one Suman
Kumar Saurav @ Shyam Kumar who in his confessional statement



before the police has taken the name of this petitioner.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

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 **Makhdumpur (Tehta) P.S. Case No. 351 of 2015**, 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, Jehanabad**, 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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