

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30550 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- CHOUTARWA District- West Champaran

Dilip Kumar @ Dilip Mishtri S/o Dinanath Patel, R/o Vill.- Dudhiyawa, P.S.-
Nawalpur, District- West Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Aditya Nath Jha, Adv.

For the Opposite Party : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 22-05-2018

Heard learned counsel for the petitioner and learned APP

for the State.

Petitioner apprehends his arrest in connection with
Chautearwa (Bathwariya) P.S. Case No. 47 of 2018 instituted for the
offences under Sections 414/34 of the Indian Penal Code.

Counsel for the petitioner submits that the name of
this petitioner has come in the written report on the basis of
statement given by co-accused, Mantush Kumar, who was
apprehended by the police along with the motorcycle alleged to be
stolen one. He could not produce any paper when police made
demand. He told the police that he has purchased the motorcycle
from this petitioner through one mediator, Amardeo Yadav. The
seizure list is available with the first information report, which does
not bear the signature of this petitioner.

In the facts and circumstances of the case, prayer of the



petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Chautearwa (Bathwariya) P.S. Case No. 47 of 2018** 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 **Additional Chief Judicial Magistrate, Bagha, writ Court**, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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)

Shamshad/-

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