

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63530 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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1. Guddu Kumar S/o Lakhindra Baitha, R/o Village- Repura, P.S.- Minapur
(Panapur O.P.), District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Mohiuddin Nagar P.S.
Case No. 33 of 2017 instituted for the offence under Sections-406, 420,
414/34 of the Indian Penal Code.

It has been submitted that one Md. Mustakim was
apprehended by police on suspicion and he disclosed the name of this
petitioner.

From the written report, it appears that there is no recovery
of any incriminating article from possession of the petitioner. In the
written report itself, it is mentioned that Md. Mustakim was arrested
and he disclosed the name of other persons including the petitioner. In
paragraph-3 of the petition, it has been mentioned that the petitioner has
clean antecedent.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Mohiuddin Nagar P.S. Case No. 33 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Samastipur subject to condition as laid down u/S 438(2) of the 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 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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