

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29400 of 2018

Arising Out of PS.Case No. -9 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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Md. Shamsheer Alam @ Shamsheer, son of Md. Idrish, resident of village-
Chakardaha, Ward No. 07, P.S. – Narpatganj, District - Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Forbesganj**

P.S. Case No. 09 of 2017, G.R. No. 41 of 2017 instituted for the
offence under Sections 364 and 392 of the Indian Penal Code.

The learned Sessions Judge has mentioned in the
impugned order that name of this petitioner has come during
investigation on the plea that 90 bags of cement alleged to have
been looted was recovered from the house of the petitioner.

Learned counsel for the petitioner has submitted that
First Information Report is against unknown. Petitioner has no
criminal antecedent. It has further been submitted that cement
bags which were recovered from the house of the petitioner
belongs to him and were kept in his courtyard for construction
work.



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 **Forbesganj P.S. Case No. 09 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, Araria**, 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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