

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38319 of 2018**

Arising Out of PS. Case No.-229 Year-2017 Thana- BENIPATTI District- Madhubani

Chandan Kumar, S/o Shri Nagendra Choudhary, Resident of Ashok Chowk,  
Village and Police Station- Khirhar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Navendu Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2     03-07-2018                      Heard learned counsel for the petitioner and the  
State.

The petitioner apprehends arrest in Benipatti P.S.  
Case No. 229 of 2017, G.R. No. 891 of 2017 instituted for the  
offence under Sections 356 and 379 of the IPC.

Learned counsel for the petitioner submits that  
petitioner is not named in the written report. The name of this  
petitioner has been disclosed in confessional statement of one  
Kamlesh Kumar before police in connection with Benipatti P.S.  
Case No. 241 of 2017 in which he confessed his guilt and also  
disclosed the name of this petitioner.

In the instant case it is alleged that while the  
informant was going to Punjab National Bank, Benipatti to



deposit an amount of Rs. 2,10,000/-, in the meantime, his motorcycle was dashed with another motorcycle and informant fell down. The driver of that motorcycle took away his bag of cash. The FIR is against unknown.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Benipatti P.S. Case No. 229 of 2017, G.R. No. 891 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate, Benipatti, Madhubani, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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