

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5146 of 2019

Arising Out of PS. Case No.-89 Year-2014 Thana- District- Sheikhpura

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Gautam Ram @ Gautam Dhadhi @ Gautam Kumar, son of Ramashish Ram
@ Ramashish Dhadhi, resident of village- Murarapur, P.S.- Korma, District-
Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 30-01-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Korma Police Station Case No. 89 of 2014, disclosing
offences under Sections 272 and 273 of the Indian Penal Code
and Section 47(A) of the Excise Act.

It appears from the First Information Report that the
petitioner was noticed by the police under Section 41(1) of the
of the Code of Criminal Procedure, 1973, whereafter he has
appeared before the police as and when required. He was
released by the police after taking bond. After chargesheet has
been submitted and cognizance has been taken, the petitioner
has applied for anticipatory bail.



It is submitted that since the petitioner co-operated with the police in course of investigation, once privilege to him, under Section 41(1) of the Code of Criminal Procedure, 1973, was given, there is no chance of him either fleeing from the course of trial or tampering with the evidence.

Since the chargesheet has been submitted, no tangible purpose would be served if the petitioner is taken into custody.

Reliance has also been placed on an order of this Court, dated 05.11.2018, passed in Criminal Misc. No. 67437 of 2018, whereby similarly circumstanced co-accused has been granted bail.

Considering the facts and circumstances as noted above, this application is allowed.

Let the petitioner, Gautam Ram @ Gautam Dhadhi @ Gautam Kumar, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge, Sheikhpura, in connection with Korma Police Station Case No. 89 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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