

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38227 of 2013

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Kishan Mandal, Son Of Sitaram Mandal, resident Of Village-Champa,
P.S.-Amdabad, Distt-Katihar

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra, Advocate

For the State of Bihar : Mr. Shyam Bihari Singh, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL ORDER

2 24-12-2013

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 326, 379 and some other allied offences of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits that F.I.R. of the case has been lodged after an unexplained delay of about one week and because of previous land dispute the petitioner has falsely been implicated in the present case.

Be that as it may, in the facts and circumstances, particularly in view of long delay of about seven days in lodging the F.I.R., prayer for anticipatory bail is allowed.

In the event of arrest or surrender before the learned

court below within a period of four weeks from today, the above named petitioner is directed to be released on furnishing bail bonds of Rs. 25,000/-(twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Aamdabad P.S.Case No. 233 of 2012, subject to the conditions as laid down in Section 438(2) Cr.P.C. and with further conditions that:-

(a) One of the bailors must be a government servant or close family member or relation of the petitioner, who will file an affidavit in the court below showing their relationship with the petitioner, and

(b) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned.

(Birendra Prasad Verma, J)

Kanth/-