

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43964 of 2015

Arising Out of PS.Case No. -159 Year- 2014 Thana -PANAPUR District- SARAN

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1. Santosh Prasad son of Krishna Presad Singh, resident of village- Pakari Narotam, P.S.- Panapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harshvardhan Shivsundaram

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 13-10-2015 Heard the Counsel for the petitioner and the APP for the State.

The sole petitioner seeks anticipatory bail in Panapur P.S. Case No. 159 of 2014 registered under Sections 383/386 of the Indian Penal Code and Section 14 of C.L.A. Act.

The informant received calls on his mobile number demanding rangdari tax in the sum of Rs. 5 lakhs. The matter was reported and F.I.R. was lodged. The mobile from which the message was sent was recovered from the possession of one Hari Kishore Prasad. A copy of the seizure memo has been enclosed. Hari Kishore Prasad is said to have made confessional statement naming the petitioner. It has been submitted that except the confessional statement, there is no other material to connect the petitioner with the alleged offence. The petitioner has no criminal antecedent.

Learned APP for the State, looking to the impugned order as well as annexures appended to the main petition has not dispute the aforesaid contention.

Under the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to 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 Sri D.K. Tiwari, Judicial Magistrate, Chapra in Panapur P.S. Case No. 159 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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