

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15470 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -ARARIA District- ARRARIA

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Panilal Sah @ Phanilal Sah S/o Late Polai Sah, The Promoter, Apna
Pariwar Agro Farming Developers India Ltd. Parmanent Address -
Resident of near Thakurbari, P.S. Banka, District - Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Nand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 14-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 406, 417, 418, 420, 421, 424, 465, 468, 201, 120B of the Indian Penal Code and that for the identical allegation against the co-accused this Court by the order dated 27.3.2015 in Cr.Misc.No. 35660/2014 and its analogous cases has already been granted privilege of anticipatory bail to three petitioners by directing payment of Rs.40,000/- each, this Court is inclined to grant privilege of anticipatory bail to the petitioner, if the petitioner also deposits a sum of Rs.1,00,000/-, subject to its being returned to him in the event of his clean acquittal in the pending trial against him.

That being so, if the petitioner, Panilal Sah @ Phanilal Sah, surrenders before the court below within a period of six



weeks from today, he shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Araria P.S.Case No. 97/2014, subject to the following conditions:

(i) That the petitioner shall deposit a sum of Rs.1 lac which shall be kept by the trial court in Fixed Deposit in a nationalized Bank or in the Post Office and its refund to him would abide by the result of the trial and his earning clean acquittal in such trial. In case the petitioner is convicted or acquitted by way of benefit of doubt the amount deposited by him to the extent of Rs.1 lac with interest earned on the same in the fixed deposit shall be entrusted to the State Government.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his

release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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