

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19777 of 2015

Arising Out of PS.Case No. -348 Year- 2014 Thana -TEGHRA District- BEGUSARAI

Niranjan Thakur, S/o Nand Kishore Thakur R/o Village- Gaura, P.S.-
Teghra, Dist. Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 18-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 379 and 411 of the Indian Penal Code, while this Court was not inclined to grant privilege of anticipatory bail to the petitioner on account of admitted position that the stolen timber was being cut and loaded on two tractors of the petitioner, which definitely belonged to the Government, learned counsel for the petitioner himself comes out to offer that the petitioner will be ready to deposit a sum of Rs. 25,000/- by way of estimated cost of the goods, found on his two tractors, for the purpose of his being granted anticipatory bail. He however submits that such deposit of Rs. 25,000/- made by the petitioner should be kept subject to the result of the trial of the petitioner.

Considering the aforementioned fact and the submission of the learned counsel for the petitioner, this Court would direct the petitioner to surrender within a period of four weeks from today and if

he does so, on deposit of Rs. 25,000/- by way of a bank draft in the name of Collector, Begusarai District, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 348 of 2014; subject to the following conditions:

- (i) The said amount of Rs. 25,000/- by way of bank draft shall be handed over to the office of the Collector, Begusarai, which shall remain subject to the outcome of the pending trial against the petitioner.
- (ii) That both the bailors will be close family relatives of the petitioner, who will undertake 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 affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iv) That the bailors shall also state on affidavit that they 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 his bail on the ground of misuse.

- (v) That the petitioner will be well represented on each and every date in course 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)

Sujit/-

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