

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38463 of 2014

Arising Out of PS.Case No. -826 Year- 2013 Thana -SITAMARHI District- SITAMARHI

=====

Braj Nandan Sah, Son of Late Chekhur Sah, Resident of Mohalla - Old Exchange Road, Ward No. 18, Nidan Hospital, Sitamarhi, Police Station - Sitamarhi Sadar, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh
Mr.Nachiketa Jha

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-03-2015

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Section 353 and some other minor or bailable offences under the Indian Penal Code.

Taking into consideration the nature of allegation in the FIR vide Annexure-1 and further taking into consideration the fact that the parties have entered into compromise, which is evident from Annexure-2, as also taking into consideration the fact that the petitioner is said to be the first offender, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for anticipatory bail is allowed.

In the event of his arrest or surrender in the court below within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with

Sitamarhi Sadar P.S.Case No. 826 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

(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;

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

U		T	
---	--	---	--