

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36760 of 2014

Arising Out of PS.Case No. -62 Year- 2013 Thana -JAYNAGAR District- MADHUBANI

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Pankaj Thakur @ Pankaj Kumar Son of Phulgenda Thakur Resident of
village- Parihar, P.S.- Parihar, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s

Mr. N.K. Agarwal, Sr. Adv.

Mr. Ravindra Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 489(A), (B), (C), (D), (E), 420 & 120B of the Indian Penal Code and the fact that neither the petitioner was apprehended nor anything incriminating substance was recovered from his conscious possession and also that the two seizure witnesses allegedly present in the house of the co-accused Arun Kumar Thakur have also not named the petitioner to be residing with this father Phulgenda Thakur, who was the tenant and was working as a Rajaswa Karamchari, this Court is inclined to grant anticipatory bail to the petitioner who has also got no criminal antecedent.

That being so, if the petitioner, namely, Pankaj Thakur



@ Pankaj Kumar surrenders before the court below within a period of four 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 Chief Judicial Magistrate, Madhubani in connection with Jainagar P.S. Case No. 62 of 2013 (G.R. No. 765 of 2013), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to the following conditions:-

- (i) That both the bailors will be a close relative 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.
- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) 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 bail on the

ground of misuse.

- (iv) 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)

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