

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5301 of 2016

Arising Out of PS.Case No. -16 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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Chhotu Kumar @ Rajnish Ray son of Shyam Narayan Ram, resident of
Muhalla- New Area Ravidas Nagar Ward No. 12, Aurangabad, P.S. and
District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan deo Yadav, Advocate
Mrs. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-02-2016

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Section 379 of the Indian Penal Code in which subsequently, Section 411 of the Indian Penal Code was added.

Taking into consideration the fact that the petitioner is not named in the first information report, vide Annexure-1, as an accused and, during course of investigation, suspicion against the petitioner was also raised, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail.

In the event of arrest or surrender in the court below within a period of four weeks from today, let the above named petitioner be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town)

P.S.Case No. 16 of 2015. subject to conditions laid down under Section 438 (2) of the Cr.P.C. and subject to the 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, and

(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 dates, 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)

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