

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29416 of 2016

Arising Out of PS.Case No. -375 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Jitendra Kumar Tiwari @ Jitendra Tiwari son of Late Sherbahadur Tiwari
Resident of Village- Dumari, P.S.- Bhabua, District- Kaimur, Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey

For the Opposite Party/s : Mr. M. Dayal, APP

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 05-09-2016 Heard the learned counsel for the petitioner and Mr.
M.Dayal APP for the State.

Petitioner apprehends his arrest in connection with
Bhabua P.S. case no. 375 of 2016, registered under Sections 506
and 353 of the IPC.

On the basis of complaint made by the Divisional
Forest Officer, the FIR has been lodged in which the allegation is
that the petitioner rang up and threatened the informant with a
view to release one accused arrested for commission of the forest
crime. He therefore interfered with the official discharge of the
duty. The petitioner is the representative of the local Member of
the Legislative Assembly.

It is stated that the call was made but only to enquire

about the status of the case. No pressure was exerted. If granted the privilege of anticipatory bail, there shall not be any repetition like this. The petitioner has no criminal antecedents.

Considering the facts and circumstances of the case, I direct the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Kaimur at Bhabua, in connection with Bhabua P.S. case no. 375 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) Upon his release from bail, the petitioner shall appear in person before the officer in charge Bhabua P.S. once in every fortnight preferably on Saturday/Sunday for a period of 03 months. In case of default in doing so, the officer in charge shall report the matter to the Court whereafter the bail bond shall be cancelled.
- (iii) No sooner the charges are framed the petitioner



shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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