

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37757 of 2016

Arising Out of PS.Case No. -271 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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1. Chandan Sahni @ Chandan Sahani Son of Pramod Sahni Resident of
village Bara Bharati, P.S. Minapur, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar

For the Opposite Party/s : Mr. Vinod Kumar-III, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 15-12-2016 Heard the Counsel for the petitioner and Mr. Vinod Kumar -
III, APP for the State.

Petitioner prays for grant of anticipatory bail in Saraiya P.S.
Case No. 271 of 2015 registered under sections 419, 420, 467,
468, 471 and 414/34 of the Indian Penal Code.

The S.I. of Police lodged the case on his self written report
that he got information that some accused persons had assembled
at the ATM of the AXIS Bank with a view to commit offence. The
informant went there and apprehended two accused persons and
few others managed to flee away. Those arrested named the
petitioner as one of them who fled away therefrom.

Contention of the petitioner is that except the statement of
the two arrested persons, there is no other material implicating the
petitioner in the alleged crime which according to the F.I.R. was
yet to be committed. The petitioner has clean antecedent.



Considering the fact that he has clean antecedent and is being sought to be implicated in the case on the basis of statement of the co-accused, I am inclined to extend him the privilege of anticipatory bail.

In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West, Muzaffarpur in Saraiya P.S. Case No. 271 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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