

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.565 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Amit Bhushan Singh Son of Radhesham Singh, Resident of Village - Jihuli
P.S. - Patahi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul
Mr. Shreyanshu Kumar
Mr. Archit Rajpal

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 18-02-2016 Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 387 and 120B of the Indian Penal Code.

Taking into consideration the fact that the petitioner is not named in the F.I.R, vide Annexure-1, as an accused, though two other persons are named therein in the F.I.R. with specific allegations against them and further taking into consideration the fact that though involvement of the petitioner had transpired during the course of investigation, but no specific material has been collected by the I.O. showing direct participation of the petitioner in the crime in question, as has been conceded by the learned Additional Public Prosecutor after looking into the case diary, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail.

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-bonds of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Motihari at East Champaran, in connection with Patahi P.S. Case No. 50 of 2015, dated 07.04.2015 subject to the conditions laid down under Section 438(2) 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 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 the 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 an 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 bonds of the petitioner.

(Birendra Prasad Verma, J)

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