

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41612 of 2016

Arising Out of PS.Case No. -362 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Jaswant Singh (R.K.T. Hotel), son of Mukhari Singh @ Mukhlal Singh
Resident of Village-Deokali, P.S. Mohania, District Kaimur at Bhabua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Mohania P.S. Case No. 362 of 2016, disclosing offences under
Sections 418, 419, 420, 384 and 120B/34 of the Indian Penal
Code.

It is alleged in the First Information Report that some
of the persons had indulged in illegal passage of vehicles on the
border of UP and Bihar, to and from U.P. and Bihar, in
connivance with the concerned officials of the two States posted
there.

Learned counsel for the petitioner has submitted that it
is evident from the First Information Report that upon getting such



secret information, the Police conducted a raid for the purpose of verification of the allegations whereafter one Raj Kishore Gupta was apprehended. He also submits at this stage that none of the government officials of the two States have been made accused in the First Information Report though there is allegation that the illegality was being committed in connivance with the officials of the two States. He has also submitted that the name of the petitioner surfaced on the basis of statement of one Saroj Kumar Gupta who was apprehended by the Police after the said Raj Kishore Gupta had disclosed his name. It has been submitted that if granted anticipatory bail, the petitioner shall not flee from the course of investigation or trial.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 362 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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