

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6841 of 2016

Arising Out of PS.Case No. -48 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

1. Sanjay Kumar Sharma @ Sanjay Choudhary, Son of Late Ramnandan Sharma, resident of Village- Gango Bigha, Police Station- Parbalpur, District- Nalanda at Biharsharif and at present residing at village- Sokhara, Uncha Tola, Police Station- Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. S.M.Rahman(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-03-2016

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sour Bazar Police Station Case No. 48 of 2015, disclosing offences under Section 420 of the Indian Penal Code.

Allegedly, the informant, who is in the business of sale/purchase of grains, had given to the petitioner 263.20 quintals of maize grain, amounting to Rs. 2,98,732/-. The petitioner is said to have paid only Rs,. 50,000/- and rest amount was to be paid to the informant in future. The transaction alleged to have taken place on 30.10.2014, for which First Information Report came to be registered on 04.03.2015.

Learned Counsel for the petitioner submits that no criminal liability is made out on the basis of the contents of the First Information Report and that the First Information Report has been instituted to extract money from the petitioner.

Considering the nature of accusation, this application is allowed.

Let the petitioner, Sanjay Kumar Sharma @ Sanjay Choudhary, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri R. Chaubey, Judicial Magistrate, 1st Class, Saharsa, in connection with Sour Bazar Police Station Case No. 48 of 2015, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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