

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46071 of 2015

Arising Out of PS.Case No. -174 Year- 2015 Thana -AGAMKUAN District- PATNA

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Bipin Kumar Singh son of Late Yatan Singh @ Shiv Yatan Singh , resident
of village- Jagatpur Bali, P.S. Chandi, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha , Advocate

For the Opposite Party/s : Mrs. Anita Kri.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 12-02-2016

Heard the parties.

The petitioner apprehend his arrest in a criminal prosecution registered under Sections 387, 379 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that there appears to be a bona fide land dispute between the parties and due to that the present occurrence is alleged to have taken place, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail.

In the event of arrest or surrender in the court below within a period of four weeks from today, let the above named petitioner be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Agamkuan P.S.Case No. 174 of 2015. subject to conditions laid down under Section 438 (2) of the 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/her 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 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 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 bond of the petitioner.

(Birendra Prasad Verma, J)

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