

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26524 of 2016

Arising Out of PS.Case No. -282 Year- 2015 Thana -CHAPRA TOWN District- SARAN

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Surendra Nath Mishra @ Surendra Prasad, son of Late Kalpnath Mishra,
resident of village- Mauna Tola Ram Nagar, P.S. Chapra Town, District-
Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 01-07-2016

Heard Sri Mukesh Kumar Singh, learned counsel

for the petitioner, Sri (Dr.) Ajeet Kumar, learned Addl. Public
Prosecutor as well as Sri Nawal Kishore Singh, learned counsel,
who has voluntarily appeared on behalf of the informant..

The sole petitioner, apprehending his arrest in
Chapra Nagar (Town) P.S. Case no.282/2015 registered for the
offence under Sections 120(B)/420/467/471/34 of the Indian Penal
Code, has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the
petitioner that the present case has been instituted on the basis of a
complaint petition filed in the court of Chief Judicial Magistrate,
which was referred under Section 156(3) of the Code of Criminal
Procedure to register the case. By way of referring to averment
made in the complaint petition, it was submitted by learned

counsel for the petitioner that whatever allegation has been levelled is mainly applicable in respect of pattidars of the property and the petitioner is stamp vendor and, as such, a prayer has been made for extending the privilege of anticipatory bail.

Sri Nawal Kishore Singh, learned counsel for the informant, opposing the prayer of the petitioner, submits that on perusal of the complaint petition, it appears that the petitioner was a master mind and had sold the stamp without any sign and registration number in the document.

Be that as it may, considering the fact that the case was instituted on the basis of complaint petition and it pertains mainly regarding the accusation i.e. civil in nature, the Court is satisfied that it is a fit case for extending the privilege of anticipatory bail. Accordingly, let the petitioner, namely, Surendra Nath Mishra @ Surendra Prasad , in the event of his arrest or surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, Chapra in connection with Chapra Nagar (Town) P.S. Case no.282/2015 subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

It was submitted by learned counsel for the

petitioner that the investigation is still continuing. It is made clear that if after investigation sufficient material is collected against the petitioner and chargesheet is submitted against the petitioner, the bail bond of the petitioner shall stand automatically cancelled and the petitioner will have to surrender before the court below and make a prayer for regular bail.

(Rakesh Kumar, J)

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