

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5156 of 2015

Arising Out of PS.Case No. -128 Year- 2009 Thana -BARAUNI District- BEGUSARAI

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1. Sunil Kumar Sinha S/O Late R.K Prasad Resident of vill-Babhaur,P.O-Hasapur,P.S-Narhat,Distt.-Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava
For the Opposite Party/s : Mr. G.S. Gupta (APP)
For Opposite party No.2 : Mr. Vinay Kirti Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 12-02-2016 Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing on behalf of the State and learned counsel appearing on behalf of the Opposite party No.2.

This application for grant of anticipatory bail arises out of Barauni P.S. case No. 128 of 2009, disclosing offences under Sections 406,409,420,467,438/34 of the Indian Penal Code.

Considering the submissions that there is no chance of petitioner tampering with the evidence or fleeing from the course of investigation or trial since he is presently posted as Deputy Director of Accounts in Bihar State Power Holding Company Limited, Patna and other similarly situated co-accused persons have been granted anticipatory bail by this Court, this application

is allowed.

Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below 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 the learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 128 of 2009, 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.

Learned counsel for the Opposite party no.2 has submitted while opposing the prayer for anticipatory bail that nothing has been mentioned in the application to show that petitioner has any real apprehension of arrest. However, in view of the fact that the petitioner is an accused in cognizable offence, on such plea the application cannot be rejected.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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