

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23976 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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Anjani Kumar Sinha, son of Late Madan Mohan Prasad, Resident of
village- Maheshwara, P.S. Nawkothe, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Prasad Sinha, Sr.Adv.
Mr. Randhir Kumar No-1, Adv.

For the Opposite Party/s: Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 30-05-2016

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 384, 417 and 420/34 of the Indian Penal Code.

It is submitted that the petitioner was apprehended on suspicion on 02.04.2016, but, admittedly, no incriminating article was recovered from his possession. It is also submitted that the petitioner is the first offender and he is in judicial custody since 02.04.2016.

Though, the petitioner is named in the FIR vide Annexure-1 as an accused with allegation of cheating, but taking into consideration the period of incarceration and the fact that he is the first offender, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Manjhaul, Begusarai in connection with Cheriabariarpur P.S. Case No.57 of 2016, subject to the conditions that:

- (A) One of the bailors must be government servant or close family members 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;
- (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 date, 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)

Arvind/-

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