

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17821 of 2017

Arising Out of PS.Case No. -45 Year- 2015 Thana -MANSURCHAK District- BEGUSARAI

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Anjani Kumar Son of late Amarnath Prasad Singh Resident of Village
Samsa, P.S. Mansoorchak, District Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.03.2017 in connection with Mansoorchak P.S. Case No. 45 of 2015 for the alleged offences under Sections 120B, 420, 467, 468,471, 323 and 504 of the Indian Penal Code.

3. It is submitted that earlier anticipatory bail had been granted to the petitioner in Cr. Misc. No. 19195 of 2016 by order dated 13.05.2016, *inter alia*, subject to the conditions 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 on two consecutive occasions his bail bonds shall be liable to be cancelled. It is submitted that after submission of the charge sheet the petitioner appeared before the learned Court below on



27.09.2016 and 11.10.2016 and thereafter the case was transferred to Teghra Courts and owing to lack of knowledge of the subsequent dates he fell in default of the conditions of the bail order leading to cancellation of his bail bonds. It is further stated that upon coming to know of such cancellation he along with two other co-accused surrendered before the Court below on 23.03.2017, while the other two co-accused were released, the petitioner was taken into custody.

4. It is submitted the petitioner has been falsely implicated in connection with land dispute which is essentially of civil nature. The petitioner claims clean antecedents.

5. Learned APP assisted by learned counsel appearing on behalf of the informant *suo motu* opposes the bail application submitting that the petitioner was bound to have appeared before the learned Court below in keeping with the conditions of the anticipatory bail order.

6. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of Sri Nitin Kaushik, learned A.C.J.M., Teghra, Begusarai in connection with Mansoorchak P.S. Case No. 45 of 2015 on the following conditions :-



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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