

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4403 of 2017

Arising Out of PS.Case No. -215 Year- 2013 Thana -PIRBAHOR District- -

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1. Nilamber Priyadarshi @ Nilamber Ji, S/o Ram Naresh Prasad Singh,
resident of village- Rusulpur Suhawan, P.S.+P.O.- Bhagwanpur,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Swet Kumar Saha, son of late Harischandra Sah, resident of village-
Belathikur, P.O.-Kelabadi, P.S.-ranga, District-Sahibganj, Jharkhand,
presently resident of Mohalla- Panch Mandir, P.S.-Siwan, District-
Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate
For the Opposite Party/s : Smt. Indu Kumari Srivastava, APP
Mr. Dilip Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Pirbahore
P.S. Case No.215 of 2013 instituted for the offence under
Section(s) 419, 420/34 Indian Penal Code.

From the written report, it appears that there is
specific allegation of collecting rupees two lacs eighty thousand
from the informant for admission of his son against co-accused
Ashutosh Kumar Mishra and Firdosh Alam. This petitioner was
introduced by Ashutosh Kumar Mishra, who assured the
informant with regard to admission of his son.

As such, there is no allegation against this petitioner



of taking money from the informant and cheating him as alleged. It has been mentioned in para 3 that the petitioner has clean antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Pirbahore P.S. Case No.215 of 2013, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

JA/-

(Sanjay Priya, J)

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