

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13434 of 2017

Arising Out of P.S. Case No. -642 Year- 2016 Thana -SIWAN CITY District- SIWAN

- =====
1. Md. Rashid @ Chote Babu, Son of Late Md. Ismail, Resident of Mohalla- Shekh Mohalla , P.S.- Siwan Twon, District- Siwan.
 2. Rajan @ Rajan Kumar, Son of Late Asharfi Prasad, Resident of Mohalla- Purani Kila, Bania Tola, P.S.-Siwan Town, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hemant Kumar Sharan, Advocate.

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-04-2017 It has been submitted that petitioner No. 1 has been arrested. Therefore, the application for anticipatory bail against petitioner No. 1 has become infructuous.

The prayer for anticipatory bail against petitioner No. 1 is dismissed as withdrawn.

Heard learned counsel for the petitioner and the State.

The petitioner No. 2 apprehends his arrest in Siwan (T) P.S. Case No. 642 of 2016 instituted for the offence under Sections 420, 467, 468, 471, 385, 379, 325/34 of the Indian Penal Code and Section 27 of the Arms Act.

From the complaint petition which was sent for First information Report of Siwan (T) P.S. Case No. 642 of 2016, it



appears that one Imamuddin executed different sale deeds in favour of the persons of the land which belonged to the informant. It is alleged that the aforesaid act was done with permission of the petitioner.

From the complaint petition it appears that mere general and omnibus allegation has been made against the petitioner. In paragraph-3 it is mentioned that petitioner No. 2 has clean antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner No.2 is allowed. In the event of surrender/arrest of the petitioner No. 2, named above, within six weeks from today, in connection with Siwan (T) P.S. Case No. 642 of 2016, he shall be released on anticipatory 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, Siwan, 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.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

