

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31094 of 2017

Arising Out of PS.Case No. -232 Year- 2017 Thana -BANKA District- BANKA

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1. Anjay Kumar Son of Late Kamta Prasad Srivastava Resident of Babutola,
P.S.- Banka, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Jha

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Banka P.S. Case No. 232 of 2017 instituted for the offence under Sections-420, 468/34 of the Indian Penal Code read with Section-136(1) of the Representation of People Act.

The petitioner is proprietor of Vendors M/s Creative Banka. It is alleged that he added the name of one Sita Devi in the voter-list of Gram Panchayat Lakri Kola of Ward No. 4 at Sl. No. 432. Show cause was issued to the petitioner and in compliance of show cause, the petitioner filed his reply which is kept at page-36, wherein it has been mentioned, that the name of that person has already been deleted and fresh voter-list has been prepared. As per Annexure-3, the District Magistrate, Banka



ordered for payment of the amount to the petitioner.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Banka P.S. Case No. 232 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to condition as laid down u/S 438(2) of the 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)

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