

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30274 of 2017

Arising Out of PS.Case No. -39 Year- 2016 Thana -VIJAYPUR District- GOPALGANJ

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1. Sureshchandra Pandey, S/o Indradeo Pandey, Resident of Village- Bariyarpur, Tola- Jathansi, P.O.- Barhara, P.S.- Kotwali, District- Deoriya, U.P. at present Assistant Teacher, Middle School Lari, P.S.- Kurtha, District- Arwal, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Smt. Gulnar Begam

For the Informant : Mr. Nityanand Mishra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in connection with Vijaypur P.S. Case No. 39 of 2016 instituted for the offence under Sections 420, 120-B, 467, 468 and 471 of the Indian Penal Code.

As per allegation in complaint petition, the petitioner get job on the basis of residential certificate of Gopalganj, whereas, as per information furnished to the informant through RTI, the petitioner is not the original resident of Gopalganj. It has been further alleged in the complaint that the petitioner is original resident of Deoria, U.P.

Learned counsel for the petitioner has submitted that he was appointed in the year 2012 on the basis of domicile residential



certificate. There is no complaint lodged by any of the official or Government authority.

In such circumstances, prayer for anticipatory bail is allowed and 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 Vijaypur P.S. Case No. 39 of 2016 to the satisfaction of learned C.J.M., Gopalganj subject to condition as laid down under Section 438(2) of the Cr.P.C. with further conditions (i) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (ii) petitioner shall co-operate 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 petitioners and (iii) 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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