

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26623 of 2017

Arising Out of PS.Case No. -96 Year- 2016 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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Vinay Kumar, son of late Jannay Prasad, resident of village Sarmasthpur,
P.S. Sakra, Distt. Muzaffarpur at present posted as Block Agriculture
Officer, Pusa, Distt. Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh, Advocate

For the Opposite Party/s : Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Patepur P.S. Case
No. 96 of 2016 instituted for the offence under Sections 166, 167, 420
and 409/34 of the Indian Penal Code.

As per written report, the Agriculturist had suffered
damage to their crops and they were to be compensated by the
Government. The petitioner who is Block Agriculture Officer at
Patepur, made survey and prepared the list in collusion with the
Brokers and Agriculturists. The name of such persons was included in
the list who have pleased the brokers and the petitioner.

Learned counsel for the petitioner has submitted that the
name of the informant is also mentioned in the list of beneficiaries
which has been annexed as Annexure-2.

From the written report itself it appears that mere vague
and omnibus allegation has been levelled against the petitioner.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Patepur P.S. Case No. 96 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, Vaishali at Hajipur, 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)

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