

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29784 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -KOPA District- SARAN

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Madan Prasad, son of Late Hemraj Prasad, resident of Village- Cora, P.S.
Manjhi, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Kopa P.S. Case
No. 94 of 2016 instituted for the offence under Sections 420, 409,
201 and 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
he has retired from service on 31.7.2007 as Panchayat Secretary
and he produced all the documents in the year 2006 and,
thereafter, this case has been filed. The petitioner has mentioned
in paragraph-8 of the bail petition that prior to his retirement, he
handed over the charge of Kumana Panchayat on 25.2.2006 to his
successor in the light of letter No. 35 dated 16.1.2006 issued by
the concerned authority.

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 Kopa P.S. Case No. 94 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 Additional Chief Judicial Magistrate-4, Saran, Chapra, 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.

S.Ali/-

(Sanjay Priya, J)

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