

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46926 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Mahammad Wazir Mian @ Wazir Mian @ Md. Wazir Mian

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Bank : Mr. Kumar Priya Ranjan, PNB

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Paharpur P.S. Case No. 165 of 2017 instituted for the offence under Section-353 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

There is allegation against this petitioner that he misbehaved with the bank official when he was directed to produce PAN CARD for depositing the amount. As such, mere general and omnibus allegation has been made against the petitioner. In paragraph-3 of the petition, it has been mentioned that the petitioner has no criminal antecedent.

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 in Paharpur P.S. Case No. 165 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran 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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