

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41549 of 2017

Arising Out of PS.Case No. -356 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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1. Chulhai Singh, Son of Late Ghasaru Singh, Resident of Village-
Matiyari, P.S.- Raniganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mayanan dYadav, Son of Late Dhaneshwar Yadav, Resident of Village-
Matiyari, P.S.- Raniganj, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No.
356C of 2015 instituted for the offence under Sections-420, 406, 379,
380 & other minor Sections of the Indian Penal Code.

It is alleged that this petitioner made demand of Rs.
1,25,000/- for payment to his daughter-in-law in a Divorce Case. He
assured that he would register a deed but he did not do so. It is alleged
that on the date of occurrence, the petitioner with other accused persons
came to house of the complainant and abused him by calling bad name
and also assaulted him. He threatened that neither he would pay cash of
Rs. 1,25,000/- nor sale deed would be registered.

Counsel for the petitioner has submitted that after holding
inquiry, the learned court below has found prima facie case only against



the petitioner for the offence u/S 420 of the Indian Penal Code.

In this manner, there is general and omnibus allegation against the petitioner.

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 Complaint Case No. 356C of 2015 to the satisfaction of learned Chief Judicial Magistrate, Araria 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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