

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52886 of 2017

Arising Out of PS.Case No. -16 Year- 2016 Thana -KHARAGPUR District- MUNGER

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Sagar Goswami, son of late Manoj Goswami, resident of Mohalla-
(Madrwari Tola) Paschim Aajamganj, P.S.-Kharagpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Rajballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 23-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Kharagpur P.S.**

Case No.16 of 2016 instituted for the offence under Section(s)
392 Indian Penal Code.

Counsel for the petitioner has submitted that
petitioner is not named in the First Information Report. No
incriminating article has been recovered from his possession. No
Test Identification Parade has been held.

Case diary was called for, which has been received.

Learned APP has submitted that one witness,
Sanjeev Yadav, in para 30 of the case diary, has taken name of
this petitioner raising suspicion against him.

In this manner, besides aforesaid suspicion there is



no any other allegation of specific overt act against the petitioner in the entire case diary.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Kharagpur P.S. Case No.16 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Munger**, 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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