

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53462 of 2017

Arising Out of PS.Case No. -742 Year- 2015 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Rabin Kumar @ Rabin Kumar Mandal son of Sri Arun Kumar Mandal
resident of village - Fatehpur, Police Station - Fatehpur, District - Jamtara.

.... Petitioner

Versus

1. The State of Bihar.
2. Chandradeo Prasad Nirala @ Verma son of Late Ram Sagar Prasad Singh
resident of village Bhatgama Basika House Tola Khairwan, Ward No. 3,
Mansurchak Road, PS - Dalsinghsarai, Distt - Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 19-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.742 of 2015 instituted for the offence under
Sections 406, 420 and 120-B of the Indian Penal Code.

It is mentioned in order dated 5.12.2017 that a Draft of
Rs.6,50,000/- drawn in favour of the complainant Chandradeo
Prasad Nirala has been handed over to the complainant. Learned
counsel for the petitioner has handed over the draft bearing
no.190047 drawn in favour of the complainant to the counsel for
the complainant. Learned counsel for the complainant has
accepted the aforesaid Demand Draft before the court and has



given necessary receipt. The copy of demand draft along with copy of compromise entered into between the parties has been filed along with supplementary affidavit, from which it appears that parties have compromised the case. In terms of the compromise, an amount of Rs.6,50,000/- is payable by the petitioner to the complainant.

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, namely above, within six weeks from today, in connection with Complaint Case No.742 of 2015, 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 A.C.J.M.-5, Samastipur, subject to the 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.

It is needless to mention that in the event the Demand Draft is not en-cashed, the bail bond of the petitioner shall liable to be cancelled by the court below.

(Sanjay Priya, J)

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