

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53459 of 2017

Arising Out of PS.Case No. -367 Year- 2016 Thana -KOTWALI District- PATNA

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Shankar Kumar @ Shankar Gupta, son of late Jamuna Prasad Gupta,
resident of Mohalla- Birla Mandir Road, P.S.- Pirbahore, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Sharma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

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

Case No.367 of 2016 instituted for the offence under Section(s)
418, 420, 409, 467, 468, 471, 120-B/34 Indian Penal Code and
Section 13 of the Prevention of Corruption Act.

Counsel for the petitioner has submitted that
petitioner is not named in the First Information Report. His name
has transpired in the confessional statement of co-accused, Raj
Kishore Pd. Gupta, after his arrest. Counsel for the petitioner has
further submitted that there was business rivalry between the
petitioner and Raj Kishore Pd. Gupta for which he had lodged
Kotwali P.S. Case No.142 of 2010 against the petitioner and his
brother in which petitioner is on bail.



The Sessions Judge has mentioned in the impugned order that the name of this petitioner has transpired in the confessional statement of co-accused, Raj Kishore Pd. Gupta, in para 66 and in supervision note as mentioned in para 100 of the supplementary case diary.

In the written report, there is specific allegation against Vikash Kumar.

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 **Kotwali P.S. Case No.367 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, Patna**, 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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