

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59589 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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Sudarshan Mukhiya S/o Late Heera Mukhiya, R/o Village and P.O.-
Shikarpur, P.S.- Sikta, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 12-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sikta P.S. Case No.
140 of 2017 instituted for the offence under Sections 406, 420,
467,468,471 of the IPC.

It has been submitted on behalf of the petitioner that
Co-operative Extension Officer, Manjhaulia made enquiry and
submitted report mentioning therein that the appointment of the
petitioner as acting secretary is in accordance with law and
petitioner was issued the receipt under capacity of acting
secretary. He has further referred to annexure-3 which is the
meeting of the managing committee by resolution no. 2 that the
informant is not taking interest and not discharging his duty and
therefore, as per record, removed from the post of secretary and



this petitioner was appointed as acting secretary by the society.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sikta P.S. Case No. 140 of 2017 to the satisfaction of learned A.C.J.M. IIIrd, Bettiah 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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