

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55414 of 2017

Arising Out of PS.Case No. -50 Year- 2011 Thana -MALSALAMI District- PATNA

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1. Sanjay @ Sanjay Jha @ Sanjay Upendra Jha, son of Upendra Jha, Aged about 46 years, resident of Village- Jarail Benipatti, Police Station- Arer, District- Madhubani, As referred present Address Anubala Treders, Professor Colony, Behind Mamta Hotel, Mirganj, Police Station- Town Begusarai, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Triveni Tiwari, son of Shashi Bhushan Tiwari, C/o present resident of Mohalla- Jhijhadibagh, Police City Police Station- Malsalami, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Malsalami P.S. Case No. 50 of 2011 instituted for the offence under Section-406 of the Indian Penal Code.

It is alleged that the petitioner had taken Rs. 1,11,000/- cash under the agreement from the informant for business. The informant made investment on furnishing office, godown etc. and suffered loss of Rs. 5,00,000/-.

Counsel for the petitioner has submitted that there is no agreement between the parties and mere vague allegation has been levelled 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 five 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 Malsalami P.S. Case No. 50 of 2011 to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City 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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