

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58180 of 2017

Arising Out of PS.Case No. -32 Year- 2017 Thana -KHARIK District- BHAGALPUR

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1. SURAJ KUMAR SHUKLA @ SURAJ MOHAN SHUKLA, son of Late Brij Mohan Shukla, Resident of Mohalla- Budhanath, Police Station- Kotwali (Adampur), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kharik P.S. Case No. 32 of 2017 instituted for the offence under Sections 406 and 467 of the IPC.

Counsel for the petitioner has submitted that there was no proof to show that the said Om Prakash Poddar handed over the charge of the relevant file of encroachment case no. 01 of 2006-07 to the petitioner. It will be apparent from the charge report enclosed with the FIR. It has further been submitted that petitioner already given reply to the D.M., Bhagalpur that the record in question has not been handed over to him. The petitioner has taken charge from aforesaid O.P. Poddar but in the list, the record in question was not handed over to him.



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 Kharik P.S. Case No. 32 of 2017 to the satisfaction of learned A.C.J.M.-II, Naugachia at Bhagalpur 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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