

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29997 of 2017

Arising Out of PS.Case No. -853 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Md. Israil @ Chamru, son of late Sharif, resident of Village- Sabalpur,
P.S. Morkahi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Md. Amjad Ali, son of Md. Maulana Saleh Marhum, resident of village-
Sabalpur, P.S. Morkahi, District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Abhay Kumar – 1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Complaint
Case No.853-C of 2015 instituted for the offence under
Section(s) 467, 468, 120-B Indian Penal Code.

It has been submitted on behalf of the petitioner that
informant had executed agreement with the petitioner to sell 2½
Kattha land and he paid rupees one lac to the informant, but the
informant did not execute sale deed and thereafter petitioner filed
Title Suit No.85 of 2015 against the informant, which is pending
in the Court of Sub Judge, 1st, Khagaria. When the complainant
received notice from the Court with regard to the aforesaid Title
Suit, he has filed the instant case as a counter blast.



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 Complaint Case No.853-C 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 the Sub-Divisional Judicial Magistrate, Khagaria, 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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