

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37520 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Shiv Shankar Singh, son of Hit Narayan Singh, resident of village-
Matar, P.S. Bhagwanpur District Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Smt. Pronati Singh, APP
Mr. Rajani Kant Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 28-08-2017

Heard learned counsel for the Petitioner and the
State.

Petitioner apprehends his arrest in Bhagwanpur P.S.
Case No.58 of 2017 instituted for the offence under Section(s)
406, 420 Indian Penal Code and Section 138 of the Negotiable
Instruments Act.

Counsel for the petitioner has submitted that he is
ready to deposit Rs.6,6,4,009/- as mentioned in the written report
or any other amount, which may be found due with the bank, in
six equal installments.

In the facts and circumstances of the case and in the
event of surrender/arrest of the petitioner, named above, within
six weeks from today in connection with Bhagwanpur P.S. Case
No.58 of 2017, he shall be released on **provisional anticipatory**
bail for a period of six months on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Kaimur, 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.

During the aforesaid period, the petitioner will make payment of entire dues amount as mentioned in the written report along with interest in six installments and on producing 'No Dues Certificate' from the bank anticipatory bail of the petitioner will be confirmed.

In the event, the petitioner does not make full payment and produce 'No Dues Certificate' within six months, provisional bail granted to the petitioner shall be cancelled.

(Sanjay Priya, J)

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