

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51734 of 2017

Arising Out of PS.Case No. -242 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Shailendra Kumar Prashant, Son of Sri Raghunandan Prasad, Resident of
Village- Kewai, P.O.- Dahpar, P.S.- Noorsarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam, Adv

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Begusarai Town**

P.S. Case No. 242 of 2016 instituted for the offence under Section 409
of the Indian Penal Code.

From the written report it appears that vague allegation
has been made that misappropriation has been done by the petitioner
since he has not furnished papers as demanded by the informant.

Learned counsel for the petitioner has submitted that he is
not custodian of the documents as mentioned in the First Information
Report. The documents are kept in the custody of accounts Clerk and
Cashier. It has further been submitted that petitioner is not named in the
written report. Subsequently, his name has come during investigation.

Other co accused person namely, Prashant Kumar @
Prashan Kumar has already been granted anticipatory bail by



coordinate Bench of this Court vide order dated 18.10.2016 passed in Cr. Misc. 30742 of 2016.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Begusarai Town P.S. Case No. 242 of 2016**, 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 **learned Chief Judicial Magistrate, Begusarai**, 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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