

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48368 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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Nandeshwar Prasad, S/o Late Lakhan Mahto, Resident of Village-
Khadiyahi, P.S.- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Bibhutipur P.S. Case No. 38 of 2016 instituted for the offence under Sections 420 and 406 of the Indian Penal Code.

As per written report one Raj Kumar Mahto submitted rent receipts by putting forged signature and handed over the same to the petitioner who was PACS Chairman. On enquiry, those receipts were found to be forged.

Learned counsel for the petitioner has submitted that petitioner is Chairman of PACS and he has no concern with the official work of the Block. He is neither creator nor the issuing authority of those rent receipts.

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 Bibhutipur P.S. Case No. 38 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 Additional Chief Judicial Magistrate, Rosera, Samastipur, 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.

S.Ali/-

(Sanjay Priya, J)

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