

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51682 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -RAMPUR CHAURAM District- JEHANABAD
=====

Suraj Kumar, Son of Sri Deo Nath Singh, Resident of Village- Khabhaini,
Police Station- Rampur Chauram, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, APP
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Rampur Chauram
P.S. Case No. 33/2017 instituted for the offence under Sections
420, 407 of the Indian Penal Code.

Counsel for the petitioner submits that petitioner is ready
to return 821.86 quintals of C.M.R. to the B.S.F.C. It is further
submitted that as per written report, he is required to submit the
aforesaid quantity by 31.07.2017, but the F.I.R. has been lodged
on 25.07.2017 prior to the last date of depositing the aforesaid
rice. He further submits that he is still ready to deposit the rice to
the B.S.F.C. within three months.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioner is disposed of with direction and in the event of surrender/arrest of the petitioner named above, within four weeks from today with an affidavit that he will return 821.86 quintals of rice to the B.S.F.C., Arwal and file valid receipts in support of the said deposit within three months from his release, petitioner will be enlarged on provisional anticipatory bail for three months in connection with Rampur Chauram P.S. Case No. 33/2017 on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal, subject to the conditions as laid down under Section 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 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 tamper 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.



It is made clear that in the event petitioner does not deposit the aforesaid quantity of rice to B.S.F.C., Arwal and produce valid receipts in support of such deposit in the court below within three months of his release, the court below will cancel the bail bonds of the petitioner.

In the event, the petitioner deposits the amount of rice to B.S.F.C., Arwal as ordered above and file valid receipts in court below in support of deposit of aforesaid rice, within three months of his release, the court below will confirm the provisional anticipatory bail of the petitioner.

(Sanjay Priya, J)

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