

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52407 of 2017

Arising Out of PS.Case No. -197 Year- 2017 Thana -ATHMALGOLA District- PATNA

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1. Arun Prasad Gupta Son of Late Mahavir Lal, R/o Village- Bahadurpur,
P.S.- Athmalgola, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Athmalgola P.S.

Case No. 197/2017 instituted for the offences under Sections 406 and

420 of the Indian Penal Code and Section 7 of E.C. Act.

Learned counsel for the petitioner has submitted that

there is no specific allegation against the petitioner in the F.I.R. that

any black-marketing was done by this petitioner. It has been

submitted that after death of father of the petitioner, the shop of

petitioner was tagged with one Avinash Kumar of the same village,

who is also a P.D.S. dealer. An enquiry was made at the shop of the

petitioner. It is further submitted that not a single complain has been

made against the petitioner and the enquiry officer did not record the

statement of the family members.



Considering the facts and circumstances of the case, the 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 Athmalgola P.S. Case No. 197/2017, 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 learned Sub Divisional Judicial Magistrate, Barh, Patna, 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.

(Sanjay Priya, J.)

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