

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57236 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -WAINA District- NALANDA
(BIHARSHARIFF)

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1. Umakant Sinha W/o Shri Vijay Paswan, R/o Village- Dharahra, P.S.-
Ben, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Prasad Singh

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Ben P.S. Case No. 94 of
2017 registered for the offence under Sections-420, 467, 468, 471, 120B/34,
120B of the IPC.

It has been submitted that in the written report itself, it is mentioned
that from the written report it does not appear any specific overt act against
this petitioner. In the written report, it is mentioned that this case has been
lodged on the basis of observation made by this court in MJC No. 934 of
2016 which is part of the FIR on the basis of information (Annexure-D) and
the show cause filed on behalf of the opposite party No. 8.

In the aforesaid order, there was direction to supervise the matter and
register the FIR on the basis of information which is available at Annexure-D
to the show cause reply filed on behalf of the opposite party No. 8. The
opposite party No. 8 was some private party who has filed show cause and
the court has made such observation.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Ben P.S. Case No. 94 of 2017 to the satisfaction of learned CJM, Nalanda (Bihar Sharif) subject to condition as laid down u/S 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 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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