

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22991 of 2017

Arising Out of PS.Case No. -2196 Year- 2015 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Chandravir Narayan Yadav, son of Ram Raji Yadav, resident of Village- Navka Tole, P.S.- Pator (Ashok Paper Mill), District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ram Kumar Roy, son of Shivilal Roy, resident of Village- Dharampur, P.S.- Khanpur, District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 22-05-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Complaint Case vide CR No.2196 of 2015 in which cognizance has been taken for the offence under Section(s) 420 Indian Penal Code.

It has been submitted on behalf of the petitioner that the instant case has been filed by the complainant as counter blast to the case filed by this petitioner against the complainant vide Complaint Case No.1647 of 2015 on 15.09.2015. It has further been submitted that there is no document to show that rupees five lac was given to the petitioner and the instant case has been filed by the complainant to save himself from the allegation as made in the Complaint Case No.1647 of 2015 filed by the petitioner against the complainant.



From the Complaint Petition itself, it appears that besides vague allegation, there is no supporting document to show that money was given by complainant to the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint Case vide CR No.2196 of 2015, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, III, 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.

(Sanjay Priya, J)

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