

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49854 of 2017

Arising Out of PS.Case No. -250 Year- 2014 Thana -AURANGABAD TOWN District -
AURANGABAD

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1. Ishwar Nath Choubey @ Ishwar Narayan Choubey, son of late Sita Ram Choubey, resident of Village - Harihar Dihra, P.S. - Kochas, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 15-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Aurangabad Town P.S. Case No.250 of 2014** instituted for the offence under Section(s) 420/34 Indian Penal Code.

Counsel for the petitioner has submitted that there is general and omnibus allegation against this petitioner that Informant paid him rupees thirty thousand in cash and rupees sixty five thousand to Santosh Kumar by two cheques.

Learned Sessions Judge has mentioned in the impugned order that Santosh Kumar has been granted bail on the basis of compromise entered between Santosh Kumar and the Informant.

The Informant has not enclosed any supporting



document that he has paid rupees thirty five thousand to this petitioner in cash.

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 **Aurangabad Town P.S. Case No.250 of 2014**, 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 **Chief Judicial Magistrate, Aurangabad**, 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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