

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53156 of 2017

Arising Out of PS.Case No. -270 Year- 2017 Thana -KATIHAR District- KATIHAR

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1. Sanjay Gupta, Son of Ayodhya Prasad, resident of Village- Salmari,
Police Station- Azamnagar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Katihar Town P.S. Case No. 270 of 2017 instituted for the offence under Sections 342, 419, 420, 465, 467, 468, 310 and 120-B of the Indian Penal Code.

It is alleged in the written report that petitioner and other accused persons in collusion with each other and the house owner took Rs. 1,90,000/- from the informant and his friends on the pretext to get them job in Delhi after completing course of six months. It is further alleged that the informant was offered job but the payment which was made to him was much less than what he was told. Thereafter, he made complaint to return money, but the money was not returned.

In this manner, from the written report, it appears that the informant has voluntarily taken the course in the aforesaid institution after making payment. In this case co-accused, Suryakand Ojha, has



been granted pre-arrest bail by this Court in Criminal Miscellaneous No. 35090 of 2017 on 21.08.2017.

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 Katihar Town P.S. Case No. 270 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Katihar 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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