

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53570 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

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Sunil Shekhar S/o Yudhishtir Mandal resident of Mohalla- Salehpur, P.S.
Habibpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Habibpur P.S.

Case No. 64/2016 instituted for the offence under Sections 341,
323, 327, 386, 406, 420, 467, 468, 504 and 34 of the Indian Penal
Code.

It is alleged in the written report that informant
purchased a land in the name of his brother-in-law through sale
deed dated 15.04.2010 executed by this petitioner on the basis of
power of attorney. Thereafter, boundary was also given over the
aforesaid land. Suddenly, the boundary wall of the informant and
other persons were broken by other co-accused namely, Suman
Kumar Suman and others, as named in the written report and they
also demanded ransom of Rs. Ten lacks. On protest, the accused



persons threatened the informant of dire consequence.

Counsel for the petitioner submits that this petitioner has no role in the aforesaid occurrence. The petitioner has already executed the sale deed and given possession of the land. The entire criminal act is being done by Suman Kumar Suman as mentioned in the written report itself.

Considering the facts and circumstances of the case, 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 Habibpur P.S. Case No. 64/2016, he shall be enlarged 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 Additional Chief Judicial Magistrate-XII, Bhagalpur, 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 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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