

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54077 of 2017

Arising Out of PS.Case No. -695 Year- 2016 Thana -KANKARBAGH District- PATNA

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Nitesh Kumar Dubey, son of Sri Nagendra Dubey, resident of MunnaChak,
P.S. Patrakar Nagar, Distt. Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Anshuman, Advocate.

For the Opposite Party/s : Smt. Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kankarbagh**
P.S. Case No. 695 of 2016 instituted for the offence under
Sections 447, 504, 506, 406, 420, 120B of the Indian Penal Code
read with Section 138 of the N.I Act.

Learned counsel for the petitioner has submitted that
petitioner was Guest Faculty of commerce classes, Rishikool, in
which Rajiv Saraf was Director which would be apparent from
Annexure-2. It has further been submitted that Rajiv Saraf and
Ajay Kumar Saraf @ Ajay Saraf have already been granted
anticipatory bail by a coordinate Benches of this Court vide order
dated 17.10.2017 and 13.09.2017 passed in Cr. Misc. 48992 of
2017 and 33838 of 2017 respectively.

From Annexure-2 it appears that petitioner was



merely Guest Faculty of Commerce Classes in the aforesaid institution.

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 **Kankarbagh P.S. Case No. 695 of 2016**, he shall be released 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 **Smt. Madhvi Singh Judicial Magistrate, 1st Class, Patna**, 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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