

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33976 of 2017

Arising Out of PS.Case No. -264 Year- 2016 Thana -BARAUNI District- BEGUSARAI

=====

1. UPENDRA KUMAR, son of Parmeshwar Das, resident of village-
Siraja, P.S. Ballia, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 30-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Barauni
(Chakiya) P.S. Case No.264 of 2016 instituted for the offence
under Section(s) 468, 420, 120-B/34 Indian Penal Code.

It has been submitted that the petitioner was
Panchayat Secretary. Allegation is that on the direction of the
District Teachers Appointment Appellate Authority a case was
instituted against the petitioner and other accused persons with
respect to forgery committed during appointment. The petitioner
and other accused persons are said to be the members of the
Appointment Committee. It has further been submitted that the
petitioner is in no way the beneficiary of the appointment.

It has further been submitted that co-accused, Sanjay
Kumar Singh, with similar allegation has been granted



anticipatory bail by a co-ordinate Bench of this Court by order dated 10.08.2017 passed in Cr. Misc. No.36222 of 2017.

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 Barauni (Chakiya) P.S. Case No.264 of 2016, 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, Begusarai, 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)

JA/-

U		T	
---	--	---	--

