

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60479 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -HABIBPUR District- BHAGALPUR

=====

1. DHARMAVEER PASWAN @ KAILASH PASWAN, S/o Late Gaya Paswan, Resident of Mohalla- Bhairapur, P.S.- Habibpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Sri Satyendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Habibpur P.S. Case No. 2 of 2017 instituted for the offence under Sections-323, 341, 406, 407, 420/34, 120(B), 386, 327 of the Indian Penal Code.

It has been submitted that there is no specific allegation against him in the complaint petition which was sent to police station u/S 156(3) of the Cr.P.C.

Counsel for the petitioner has submitted that he was merely a witness over the sale deed executed by Surendra Kumar @ Sonu uncle of father of the informant. It has been submitted that one of the co-accused namely, Sunil Shekhar who was also a witness over the sale deed, has already been granted anticipatory bail by a coordinate bench of this court vide order dated 03-11-2017 passed in Cr. Misc. No. 51809 of 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 in Habibpur P.S. Case No. 2 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Bhagalpur 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)

A.K.V./-

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

