

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56171 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Akash Kumar S/o Keshav Kumar, R/o Village- Tajpur, P.S.- Kesharia,
District- East Champaran, at present Shastri Nagar, Chakia, P.S.- Chakia,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in Kesharia P.S. Case
No.30 of 2017 arising out of Complaint Case No.C- 195/17 / 594
of 2016 for the offence under Sections 341, 323, 379, 504,506,406
420 of I.P.C.

As per the written report, it is alleged by the informant
that the petitioner lent Rs.40,000/- to the informant for treatment
of his mother assuring to return within two months. The informant
made demand of his money then the petitioner gave him a cheque
but the same could not be encashed. The informant again demanded
money on which mar pit took place between the petitioner and the



informant. Petitioner forcibly obtained signature of the informant on plain paper and also snatched his bag containing Rs.2000/-.

Counsel for the petitioners has submitted that the alleged cheque is said to have been issued on 5.6.2015 and mar pit took place on 20.3.2016 prior to ten days of the lodging of the present case. The present complaint has been filed on 30.03.2016. There is no mention in the complaint as when the cheque was presented and when bounced.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of C. J. M. Motihari, in Kesariya P.S.Case No.30/17 subject to the conditions as laid down under Section 438 (2) of 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)

AnilKrSinha/-

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