

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41168 of 2018

Arising Out of PS.Case No. -803 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Sanjay Kumar Pandey @ Sanjay Pandey, son of Yadubansh Pandey, resident of Village- Siya Pokhar, P.O.- Banhaur, P.S. Mohania, District-Kaimur, Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saiyad Aftab Alam, son of Saiyad Mukhtar Alam, resident of village-Kharkhava, P.O.- Kakriya, P.S. Dhansoi, District- Buxar, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. A. N. Sahay, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Complaint Case No.803-C of 2016** instituted for the offence under Section(s) 420, 406, Indian Penal Code.

Counsel for the petitioner submits that it is a case of money transaction. Cognizance has been taken for the offence under Section(s) 406, 420 Indian Penal Code.

In the Complaint Petition, it is alleged that the Complainant had paid rupees two lac fifty thousand to the petitioner after preparing hand-note, but the petitioner refused to pay the same when demand was made. The Complainant has civil



remedy for his grievance.

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 **Complaint Case No.803-C 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 the **Chief Judicial Magistrate, Kaimur**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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