

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9934 of 2018

Arising Out of PS. Case No.-249 Year-2015 Thana- GANDHIMAIDAN District- Patna

Kaushal Kumar Gautam Son of Nagina Paswan, Resident of Village-Saidbarhi, P.S.-Chandi, Dist.-Nalanda. At Present-Advance Emerging World Trust, Exhibition Road, Chauraha 2nd Floor, Room no.17, Police Station-Gandhi Maidan, Dist.-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj
For the Opposite Party/s : Mr. SMT. RITA VERMA

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in Gandhi Maidan P.S. case no. 249 of 2015 instituted for the offence under Section(s) 406, 420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner has submitted that allegation in the written report is not correct. The petitioner got admission of the informant in Krishna Theja Technical Campus Andhra Pradesh and all the original certificates have been deposited in that institute at the time of admission.

Learned counsel for the petitioner has enclosed the certificates of acknowledgment letter issued by the College as Annexure 2. Learned counsel pointed out from running page 17 of the said acknowledgment letter which bears the signature of the informant



who has deposited the documents in the aforesaid institute.

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 Gandhi Maidan P.S. case no. 249 of 2015, 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 learned ACJM 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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