

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5902 of 2018

Arising Out of PS. Case No.-152 Year-2017 Thana- BHARGAWAN District- Araria

Sahmira @ Sahila Khatoon @ Smt. Sahila Khatoon Sachiv, Vidyalya Shiksha Samiti Primary School Majrahi Chakala Block Bhargama, District Araria W/o Abdul Sattar @ Abdus Sattar, R/o Vill.- Majrahi, P.O.- Birnagar, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 20-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bhargama P.S.

Case No. 152 of 2017 instituted for the offence under Sections 406,409/34 of the IPC.

Counsel for the petitioner has submitted that work has already been completed. A report was called for by order dated 02.02.2018 from District Programme Officer with regard to completion of building of Primary School Majrahi, Chakla, in connection with the instant case. The report has been received, in which it has been mentioned that work has been completed. The petitioner has enclosed the completion certificate issued by District Programme Officer as Annexure-2.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bhargama P.S. Case No. 152 of 2017, to the satisfaction of the learned Chief Judicial Magistrate, Araria, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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