

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19447 of 2018

Arising Out of PS. Case No.-226 Year-2017 Thana- ISLAMPUR District- Nalanda

Sukhdeb Prasad, S/o Bilash Prasad, R/o Village- Kharhara Par, P.S.- Islampur,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Smt. Pronati Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 19-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Islampur P.S.
Case No. 226 of 2017, instituted for the offence under Sections
467,468,471,406,420/34 of the IPC.

Counsel for the petitioner has submitted that father of
this petitioner has already been granted anticipatory bail by
coordinate Bench of this Court vide order dated 12.12.2017
passed in Cr. Misc. No. 58424 of 2017. The petitioner has been
made accused in this case because his father and other accused
persons have business dealing with the informant.

Counsel for the petitioner has pointed out Annexure-2 to
this petition, wherein, it has been stated that the petitioner has made
an agreement dated 06.06.2016, that he will pay total Rs. 3,05,000/-
to the informant till 01.08.2016. He has already paid Rs. 2,63,000/-



to the informant and prepared a stamp paper in this regard on 26.06.2016.

From perusal of Annexure-2, it appears that there is dispute between the parties of money dues.

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 Islampur P.S. Case No. 226 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, 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 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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