

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28149 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- BANMANKHI District- Purnia

Md. Sattar @ Abdul Sattar, Son of Late Basiruddin, Resident of Darjipatti,
Police Station- Banmankhi, District- Purnea ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP 211

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2018 Heard the learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Banmankhi P.S. Case No. 40 of 2018 registered for offence punishable under Section 420 of the Indian Penal Code.

Allegation against the petitioner is that he executed mutation in the name of grand father. The petitioner is the uncle of the informant.

Submission of the learned counsel for the petitioner is that first information report itself shows that mutation was made in favour of the grand father not in favour of the petitioner and the informant is one of the nephew and, as such, it is not against the informant.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, named above, in the event of arrest or surrender before the Court below, within



a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty-five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea, in connection with Banmankhi P.S. Case No. 40 of 2018 subject to the condition as laid down under Section 438(2) of the Criminal Procedure Code as well as with following conditions :

(I) One of the bailors of the petitioner shall be a local person, having sufficient immovable property within the jurisdiction of the concerned Court.

(II) The petitioner will not induce any witness or tamper with evidence.

(III) The petitioner shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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