

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36907 of 2018

Arising Out of PS.Case No. -101 Year- 2016 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Gopal Modi, son of late Sahdeo Modi, resident of village- Pratappur,
Police Station- Margo Munda, District- Deoghar (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Bhagwanpur**
P.S. Case No.101 of 2016 instituted for the offence under
Section(s) 419, 420 Indian Penal Code.

Counsel for the petitioner submits that First
Information Report has been lodged against unknown. It is
alleged that son of the informant received call on his mobile to
disclose the PAN and when he disclosed PAN then rupees two
thousand five hundred was withdrawn from the account of the
mobile holder.

Counsel for the petitioner submits that name of this
petitioner has come during investigation alleging that the mobile
from which call was made belongs to this petitioner.

It has been submitted that petitioner is an illiterate



person and he has no concern with making aforesaid call. It has further been submitted that no money can be withdrawn on the basis of PAN.

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 **Bhagwanpur P.S. Case No.101 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 **Sub-Divisional Judicial Magistrate, Kaimur at Bhabhua**, 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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