

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60524 of 2017

Arising Out of PS.Case No. -648 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Deepak Kumar Sahi, son of Sri Surendra Kumar Sahi @ Surendra Sahi
resident of Narainapur, P.S. Bagaha, District- West Champaran, Bettiah.
.... Petitioner/s

Versus

1. The State of Bihar,
2. Suresh Paswan, son of Sitaram Paswan, resident of Village- Shivrana,
P.S. Balmiki Nagar, District- West Champaran.
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti, Advocate
For the Opposite Party No.1: Mr. Sri Amrendra Prasad
For the Opposite Party No.2: Mr. Sanjay Kumar No.7, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 05-03-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in **Complaint Case**
No.(C)-648 of 2016/Tr.No.1670 of 2017 instituted for the
offence under Section(s) 420, 406, 120-B Indian Penal Code.

Counsel for the petitioner has submitted that he has
not entered into agreement with the Complainant. Agreement was
entered into by the Complainant with accused no.1-Laxuman
Pandit. Counsel for the petitioner has further submitted that as
per Complaint Petition itself, money was given by the
Complainant to accused no.1-Laxuman Pandit.



Counsel for Opposite Party No.2 has submitted that one document was prepared by Laxuman Pandit (Annexure-5), wherein, it is mentioned that this petitioner will return the money if he fails to do so.

From Annexure-5, which has been enclosed by the petitioner, it appears that this petitioner has nowhere put his signature over the same. Annexure-4 is also the document alleged to have been executed by accused no.1-Laxuman Pandit, wherein, also this petitioner does not come in picture.

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 **Complaint Case No.(C)-648 of 2016/Tr.No.1670 of 2017**, 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 **Additional Chief Judicial Magistrate, Bagaha**, 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.

JA/- **(Sanjay Priya, J)**

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