

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3349 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -HABIBPUR District- BHAGALPUR

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Sunil Shekhar, S/o Yudhishtir Mandal, Resident of Mohalla- Salehpur,
P.S.- Habibpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Habibpur P.S.**

Case No. 18 of 2017 instituted for the offence under Sections 323,
327, 384, 420, 406, 354 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
in the complaint petition which was sent to Police Station under
Section 156(3) Cr. P.C. there is specific allegation against
Surender Kumar Soni for demolishing the boundary wall of the
complainant and making demand of Rs.10,00,000/- as *rangdari*. It
is mentioned in the complaint petition that aforesaid Surender
Kumar Soni has executed sale deed in favour of the complainant
earlier with respect to the aforesaid land.

As such, there is no allegation of any specific overt



act against the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Habibpur P.S. Case No. 18 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 **learned Additional Chief Judicial Magistrate-XII, Bhagalpur**, 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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