

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45495 of 2018

Arising Out of PS.Case No. -818 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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Raj Kumar Bahardar, S/o Late Darbari Bahardar, Secretary, Fishery Co-operative Society, Raniganj, resident of Village Nayapatti Bistoria, P.S. Raniganj, District Araria.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Complaint**

Case No. 818C of 2015 instituted for the offence under Sections 420, 380 and 385 of the Indian Penal Code.

Counsel for the petitioner submits that petitioner is elected Secretary of Fishery Cooperative Society, Raniganj Anchal. The Government ponds were settled by the District Fishery Officer. Counsel for the petitioner further submits that Gorna Pond was settled in the name of complainant and one Abha Devi. The complainant and Abha Devi sold the settled Gorna pond to Md. Aslam who is not fisherman for a period of seven years for Rs.50,000/- per year, for which, agreement was made, copy of which, has been enclosed as Annexure-2. Thereafter, the settlement of petitioner was cancelled and the pond was allotted to



different persons as mentioned in the complaint petition.

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 **Complaint Case No. 818C of 2015**, 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 **Shri Ashish Ranjan, learned Judicial Magistrate, 1st Class, Araria**, 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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