

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40711 of 2018

Arising Out of PS. Case No.-299 Year-2017 Thana- BASANTPUR District- Siwan

Sudhir Sharma @ Sudhir Kumar S/o Kedar Sharma, R/o Vill.- Lako Tola,
P.S.- Goriya Kothi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Varma
For the Opposite Party/s : Mr. Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Basantpur P. S. case no.
299 of 2017 instituted for the offence under Section(s) 489(B),
489(C), 420, 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is
no recovery from possession of this petitioner. The name of this
petitioner has surfaced in this case on the basis of confessional
statement of co -accused Amit Kumar, who has been apprehended by
the police.

In the written report, it is alleged that police arrested three
persons, namely, Amit Kumar Singh, Umesh Singh and Nitish Kumar
and recovered total 123 notes of Rs. 100 denomination which
appeared to be forged notes.

The case diary has been received.



Learned APP after looking into the case diary has submitted that there is no recovery of any incriminating articles from the possession of this petitioner. It is mentioned in para 3 of the petition that petitioner has clean antecedents.

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 Basantpur P.S. case no. 299 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 CJM, Siwan, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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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