

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35145 of 2017

Arising Out of PS.Case No. -474 Year- 2016 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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1. Shyam Sundar Sah @ Ram Sunder Sah, son of late Musharo Sah,
resident of village-Hardiya, P.S.-Muffasil, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi, wife of Pankaj Sah, resident of village-Hardiya, P.S.-
Muffasil, District-Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

Mr. Chandan Kumar Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6/ 07-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Complaint Case**
No.474-C of 2016 instituted for the offence under Section(s) 420,
406, 452, 380, 323, 341, 427/34 Indian Penal Code.

Counsel for the petitioner has submitted that the
Complainant has not entered into any agreement with the accused
persons. He has also submitted that matter is purely of civil
dispute and civil remedy is available to the Complainant.

Counsel for the Opposite Party No.2-Complainant
has appeared and filed Supplementary Affidavit in which he has
annexed one agreement alleged to be entered between Ram
Sundar Sah and Vishundeo Sah & Pankaj Sah for sale of 3 Dhur



of land.

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.474-C 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 **Additional Chief Judicial Magistrate, IV, Begusarai**, 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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