

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47211 of 2017

Arising Out of PS.Case No. -387 Year- 2017 Thana -PURNEA SADAR District- PURNIA

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1. Shamsul Hai Son of Late Abdul Hai, R/o Gulabbag, P.S.- Sadar, District-
Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Purnea (Sadar) P.S.
Case No. 387 of 2017 instituted for the offence under Sections-420, 384
& other minor Sections of the Indian Penal Code.

It has been submitted that compromise has now entered into
between the informant and the petitioner. Notice was issued to
opposite party No. 2 but he did not appear.

During course of hearing of the bail petition, Xerox copy of
the compromise petition filed before the court below has been filed by
learned counsel for the petitioner.

Moreover, from the allegation made in the FIR, it appears
that there was dispute between the parties for sale and purchase of the
land and as per compromise petition, it appears that now matter has
been amicably settled between the parties.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Purnea (Sadar) P.S. Case No. 387 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Purnea subject to condition as laid down u/S 438(2) of the 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 cause 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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