

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63653 of 2017

Arising Out of PS.Case No. -353 Year- 2017 Thana -KOTWALI District- MUNGER

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Kumar Diwana, S/o Yogendra Mandal, Resident of Village- Ekasi, P.S.-
Bariyarpur, Distt.- Munger.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kotwali P.S. Case No.
353 of 2017 instituted for the offence under Sections-419/420 of the
Indian Penal Code.

It is alleged in the written report that one Saurav Kumar
was writing in the examination of recruitment of constable in place of
this petitioner.

Counsel for the petitioner has submitted that no seizure of
any article was made in this case. The petitioner has been made accused
merely on suspicion. There is no admit card on record to show that
name of petitioner was there.

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 Kotwali P.S. Case No. 353 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Munger 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 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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