

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2291 of 2018

Arising Out of PS.Case No. -351 Year- 2017 Thana -AURANGABAD TOWN District-
AURANGABAD

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Dhiraj Kumar, son of Mahendra Saw, resident of village- Prasadi English,
P.S.- Arwal, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-01-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Aurangabad Town P.S. Case No.351 of 2017** instituted for the offence under Section(s) 420 Indian Penal Code and Section 10 of Bihar Conduct of Examinations Act, 1981.

Counsel for the petitioner has submitted that Niraj Kumar, who is brother of this petitioner, had gone at the centre to give some important document to his brother, but he was arrested by the police. This petitioner has been made accused only on the basis of suspicion because Niraj Kumar, who is brother of this petitioner, was in possession of petitioner's document. Niraj Kumar is already in custody. It has further been submitted that the 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 **Aurangabad Town P.S. Case No.351 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 **Chief Judicial Magistrate, Aurangabad**, 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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