

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28653 of 2018

Arising Out of PS.Case No. -732 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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Suresh Gupta @ Suresh Kumar Gupta @ Suresh Kumar, S/o Late Bega Sah,
R/o Vill.- Kotaraha, Post + P.S.- Valmikinagar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khurshid Alam, S/o Late Amir Ansari, R/o Vill.- Narwal Barwal, P.S.-
Bagaha (Patkhauri), Distt.- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 24-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Trial No. 5092**
of 2017 arising out of Complaint Case No. 732 of 2016
instituted for the offence under Sections 406 and 341 of the Indian
Penal Code.

Learned counsel for the petitioner has submitted that
instant complaint has been filed in the year 2016. The complainant
has alleged that money was given by him to this petitioner in
January 2013 for getting the lease of land of Gandak at
Narainapur, Bagaha-2. It has further been submitted that petitioner
has no authority to lease the aforesaid land. There is no chit of
paper in support of making payment to the petitioner by the



complainant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Trial No. 5092 of 2017 arising out of Complaint Case No. 732 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 learned **Sub Divisional Judicial Magistrate, Bagaha, West Champaran**, 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 his 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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