

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10146 of 2018

Arising Out of PS.Case No. -789 Year- 2017 Thana -BIHTA District- PATNA

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Arbind Kumar Son of Kedar Sao Resident of Village- Kab, P.S. Rani Talab,
District- Patna, Presently residing at Village- Raghopur, P.S. Bihta, District-
Patna,.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in Bihta P.S. Case No.789
of 2017 for the offence under Sections 420, 406, 504, 506 and 354
of I.P.C.

In the written report the informant has leveled allegation
that the petitioner who is her brother –in-law received
Rs.3,10,000/- from her on assurance to return the same later on but
he did not return. It is also alleged that the petitioner got the
disputed land registered in the name of the informant whereas the
said land was earlier got registered to other person and when the
informant made demand for her money then this petitioner through
other persons gave two cheques each of Rs.3,00,000/- and



Rs.21,00,000/- but both the cheques were bounced.

Counsel for the petitioner submits that the instant case is counter blast of the case lodged by the petitioner against the informant for recovery of his dues of Rs.7,00,000/- for which Bihta P.S.Case No.752 of 2016 was instituted. In this manner there is general and vague allegation against the petitioner.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-1, Danapur, in Bihta P.S.Case No.789 of 2017 subject to the conditions as laid down under Section 438(2) of 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 co-operate 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 petitioners.

(Sanjay Priya, J)

AnilKrSinha/-

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