

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2924 of 2018

Arising Out of PS.Case No. -52 Year- 2017 Thana -ISHOPUR District- BHAGALPUR

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1. SANTOSH KUMAR CHAUDHARY @ SANTOSH CHAUDHARY @
SANTOSH KUMAR, S/o Late Moti Lal Chaudhary, R/o Village-
Sundarpur, P.S.- Pirpanti, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 17-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Ishipur**
(Barahat) P.S. Case No.52 of 2017 instituted for the offence
under Section(s) 420, 467, 468, 471 Indian Penal Code.

Counsel for the petitioner has submitted that
petitioner is *Karamchari* in the Circle Office. Main allegation is
against Kanhaiya Soni of getting the land of the share of the
informant mutated in his name. Counsel for the petitioner has
further submitted that the informant and accused, Kanhaiya Soni,
belong to common descendant. This petitioner has nothing to do
with the property dispute between the informant and Kanhaiya
Soni.

It has further been submitted that co-accused,



Kanhaiya Soni and others have been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 09.11.2017 passed in Cr. Misc. No.53602 of 2017.

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 **Ishipur (Barahat) P.S. Case No.52 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, Bhagalpur**, 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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