

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7621 of 2018

Arising Out of PS. Case No.-133 Year-2015 Thana- SHIVSAGAR District- Rohtas

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1. Shiv Durga Jee Broker Proprietor Promod Kumar Son of Brajeshwar Sah
 2. Deepak Kumar @ Deepak Kr. Gupta. Son of Janak Sah Both Resident of Nokha, Station Road, P. S. Nokha, District- Rohtas.

... .. Petitioner/s

Versus

- 1 The State of Bihar
2. Manish Kumar S/o Jamuna Prasad Gupta R/o Raj Colony civil line, P.S. Sasaram (M) Dist. Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra
For the Opposite Party/s : Mr. Nawal Kishore Pd. APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

6 06-08-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Shiv Sagar P.S. case no. 133 of 2015, instituted for the offence under Section(s) 406, 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that besides suspicion there is no allegation of specific overt act against this petitioner.

Notice was issued to the opposite party no.2 which was validly served. But, nobody has appeared on behalf of the opposite party no.2.

Learned counsel for the petitioner has submitted that matter has also been compromised in the Court below. Copy of the



compromise petition has been annexed as Annexure-2.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Shiv Sagar P.S. case no. 133 of 2015, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the CJM, Rohtas at Sasaram, 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) petitioners 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 petitioners and (3) if petitioners tamper 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)

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