

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63054 of 2017

Arising Out of PS. Case No.-60 Year-2016 Thana- HABIBPUR District- Bhagalpur

=====

Sunil Shekhar, S/o Yudhishtir Mandal, Resident of Mohalla- Salehpur, P.S.-
Habibpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Arun Kumar Singh -5

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-02-2018 Heard learned counsel for the petitioner and learned APP for the
State.

Petitioner apprehends his arrest in Habibpur P.S. case no. 60 of
2016 instituted for the offence under Section(s) 341, 323, 406,420, 471,
370, 385 and 327/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that in paragraph
nos. 6 and 7 of the complaint petition, there is general and omnibus
allegation against this petitioner that he along with co-accused, namely,
Suman Kumar Suman and Maushmi Rani are causing obstruction to the
complainant in taking possession of the land even after execution of the
sale deed.

From perusal of paragraph nos. 6 and 7 of the complaint petition, it
appears that there is specific allegation that the land is in illegal
possession of Suman Kumar Suman and Maushmi Rani.

In this manner, there is general and omnibus allegation against this
petitioner. It is further submitted that in other cases filed against this



petitioner he has been granted anticipatory bail by Co-ordinate Bench of this Court as well as this Court vide Cr. Misc No. 51638 of 2017, Cr. Misc No. 58422 of 2017, Cr. Misc No.51809 of 2017, Cr. Misc No. 62967 of 2017, Cr. Misc No.62352 of 2017 and Cr. Misc No. 53570 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 Habibpur P.S. case no. 60 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 the learned A.C.J.M.-XII, 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 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)

shyambihari/-

U		T	
---	--	---	--

