

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47962 of 2018

Arising Out of PS. Case No.-2 Year-2015 Thana- C.B.I CASE District- Patna

Ishwar Chandra Chakarwari, Son of Late Basedev Yadav @ Rambabu Singh,
Resident of Mohalla- Lalji Tola, P.S.- Gandhi Maidan, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. C.B.I. S.C.B. Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudish Kumar, Advocate
For the Opposite Party/s	:	Mr. Sri Nirmal Kumar Sinha, APP-199
For the C.B.I.	:	Mr. Sanjay Kumar, S.C., C.B.I.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 29-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code.

Initially Patna Rail Police Station Case No.241 of 1994 was lodged relating to offence of theft of postal orders and government stamps from the Railway. Some of the stolen postal orders were recovered from the house of the petitioner. Petitioner was sent to jail. Police submitted charge sheet. Petitioner was granted bail in that case and subsequently, the trial resulted in acquittal, as submitted by learned counsel for the petitioner.



Learned counsel for the C.B.I. opposed the prayer for anticipatory bail.

On the basis of same allegation in the year, 2015 the C.B.I. has registered the present case and the aforesaid is immaterial against the petitioner. On the basis of same material the petitioner need not be sent to jail twice as under trial prisoner. Hence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with R.C.-2(s)/2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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