

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21462 of 2018

Arising Out of PS.Case No. -310 Year- 2017 Thana -DUMRAUN District- BUXAR

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Durga Dutt Choubey @ Tuna Choubey, son of Sri Nagendra Choubey
Resident of Dumraon Station, Bye Pass Road, Ward No. 1, P.S. - Dumraon,
District - Buxar and resident of Khiroli Station, Bye-Pass Road, Dumraon,
Ward No. 1, P.S. - Dumraon, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dadan Singh, son of late Ram Narayan Singh, resident of village Beldihari, P.S. Sikarhatta, Distt. Bhojpur and at present residing at Mohalla New Colony, Naya Thana, Dumraon, Ward No. 4, Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate.
For the informant : Mr. Anand Kumar, Advocate.
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 10-07-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and the State.

The petitioner apprehends his arrest in **Dumraon P.S.**
Case No. 310 of 2017 instituted for the offence under Sections 406,
420, 467, 468 and 471 of the Indian Penal Code.

In the written report allegation against the petitioner is that
he has received Rs.2,00,000/- from the informant on assurance that he
will return the amount very soon. But the petitioner did not return the
aforesaid amount to the informant.

Learned counsel for the petitioner and learned counsel for
the informant are present and submitted that matter has been



compromised between the parties and compromise petition has also been filed in the court below, copy of which, has been enclosed as Annexure-3 to the supplementary affidavit.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Dumraon P.S. Case No. 310 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 learned **Chief Judicial Magistrate, Buxar**, 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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