

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32166 of 2018

Arising Out of PS.Case No. -364 Year- 2017 Thana -DUMRAUN District- BUXAR

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1. Sonu Rai @ Awnish Kumar Rai, Son of Daya Shankar Rai @ Daud Ji Rai.

2. Daya Shankar Rai @ Daud Ji Rai, Son of Late Tileshwar Rai, Both are the resident of Village- Sonhab, Police Station- Narhi, District- Balia (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 14-08-2018 Heard learned counsel for the petitioners, the
inforamnt as well as the State.

The petitioners apprehend their arrest in Dumraon (Naya Bhojpur O.P.) P.S. Case No. 364/2017, instituted for the offences punishable under Sections 406, 420, 467, 468 and 471/34 of the Indian Penal Code read with Section 138 of the N.I. Act.

Learned counsel for the petitioners has submitted that in the F.I.R. there is no specific allegation against these petitioners of getting supply of oats and issuing cheque. There is specific allegation against co-accused Rishikesh Rai of issuing cheque who is proprietor of Ritiyara Agro Food Pvt. Ltd., Vaishali, Ghaziyabad. In the written report, there is only allegation against these petitioners that they had also come to the mill of



informant along with Rishikesh Rai.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Dumraon (Naya Bhojpur O.P.) P.S. Case No. 364/2017, 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 learned Chief Judicial Magistrate, Buxar, subject to the conditions as laid down under Section 438(2) of the 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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