

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15245 of 2018

Arising Out of PS. Case No.-551 Year-2017 Thana- JAGDISHPUR District- Bhagalpur

Chulho Paswan @ Sikandar Paswan @ Chandra Shekhar Paswan S/o Radhe
Paswan, R/o Village- Khanwa, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Nandan Ambasta Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Pd. APP
For the informant	:	Mr. Praveen Kumar Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Jagdishpur P.S. case
no. 551 of 2017 instituted for the offence under Section(s) 363
and 365 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is not named in the F.I.R. It is further submitted that
the name of the petitioner has been taken by the informant in his
re-statement.

Learned counsel for the informant has appeared and
submitted that it has come in the case diary that dead body of
the husband of the informant was recovered from the hospital
and thereafter the statement of the informant has been recorded



in which she has taken the name of the petitioner stating that earlier an altercation has taken place between the son of the informant and this petitioner. It is mentioned in para 3 of the bail petition that petitioner has no criminal antecedents.

The counsel for informant submits that there is criminal case pending against the petitioner. Learned counsel for the informant is given liberty to take appropriate steps in accordance with law in the event the statement made by the petitioner in para 3 of the bail petition of having no criminal antecedents is found incorrect.

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 Jagdishpur P.S. case no. 551 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 the learned CJM, 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)

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