

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28464 of 2018

Arising Out of PS.Case No. -167 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Anand Kishore Narayan son of Late Akhileshwar Prasad, resident of Village- Khan Karanpur, P.S. Tisiouta, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 20-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Desari P.S. Case No. 167 of 2016 instituted for the offence under Sections-420, 467, 468, 471, 474, 120(B)/34 of the Indian Penal Code.

Allegation against the petitioner is that he was Halka Karmachari, and had issued a wrong caste certificate to Malti Devi showing her caste "Umar Baishya" in place of "Singuriya Bania".

Learned counsel for the petitioner submits that this petitioner is in no way the beneficiary of the aforesaid certificate. Malti Devi, who is herself a Mukhiya, is the beneficiary of the aforesaid forged caste certificate. In paragraph-3 of the petition, it has been mentioned that the petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of



his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Desari P.S. Case No. 167 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-II, Vaishali at Hajipur subject to condition as laid down u/S 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) 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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