

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39081 of 2018

Arising Out of PS.Case No. -53 Year- 2012 Thana -MANSURCHAK District- BEGUSARAI

=====

Sanjeev Chaudhary, Son of Aditya Narayan Chaudhary, Resident of
Village- Fateha, P.S.- Bachhwara, Dist- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate.

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 18-08-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mansoorchak**

P.S. Case No. 53 of 2012 instituted for the offence under Sections
147, 148, 149, 341, 323, 307, 332, 353, 427, 379 and 337 of the
Indian Penal Code.

Counsel for the petitioner submits that petitioner is
not named in the written report. The Sessions Judge has rejected
anticipatory bail of the petitioner under wrong conception that
anticipatory bail of the petitioner was earlier rejected by this Court
vide Cr. Misc. No. 12284 of 2013. He further submits that
anticipatory bail application of the petitioner was dismissed for
non-prosecution by the Hon'ble Court vide order dated
12.08.2014 passed in Cr. Misc. No. 12284 of 2013 in connection
with Mansoorchak P.S. Case No. 54 of 2012. The aforesaid order
has been enclosed as Annexure-5.



The petitioner is not named in the written report. There is no allegation of any specific overt act against the petitioner in the entire First Information Report.

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 **Mansoorchak P.S. Case No. 53 of 2012**, 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 **Additional Chief Judicial Magistrate-1, Begusarai**, 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)

S.Ali/-
Rohit Kr.

U		T	
---	--	---	--

