

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17923 of 2018

Arising Out of PS. Case No.-302 Year-2017 Thana- MADHUBAN District- East Champaran

=====

Vinod Sah @ Binod Prasad, S/o Mahabir Sah, R/o Village- Garahiya, P.S.-
Madhuban, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-05-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Madhuban P.S.

Case No. 302 of 2017 instituted for the offence under Sections

406,420 of the IPC.

In the written report, it is alleged that petitioner took

the tempo of informant on 19.11.2016 on condition that he will

pay Rs. 500/- daily to informant and also he will make payment

of installment. The petitioner neither paid the amount of Rs.

500/-, nor returned the tempo. He did not even renew the

insurance paper of the tempo.

Learned counsel for the petitioner has submitted that

the real fact is that informant has taken loan from petitioner on



various dates after mortgaging his tempo, in support of which document has been annexed as Annexure-2 series. The informant did not return the amount, then petitioner put pressure to informant to return the amount. Thereafter, the instant case has been lodged by the informant.

It has been further submitted that during course of investigation, the said tempo was recovered on 13.02.2018 by the Motipur Police from road. The said tempo is lying in premises of Madhuban Police Station in connection with Madhuban P.S. Case No. 302 of 2017.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Madhuban P.S. Case No. 302 of 2017 to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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)

khushbu/-

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

