

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46208 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -MAHARAJGANJ District- SIWAN

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Nirbhay Kumar Singh, S/o Late Wakil Singh, R/o Vill.- Masharak (Purab Tola), P.S.- Masharak, Distt.- Saran (Chhapra).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode, Advocate
Mr. Rananjay Kumar, Advocate
Mrs. Chhateshwari Kumari, Advocate.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP 138.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Maharajganj, P.S. Case No. 75 of 2017, instituted for the offences punishable under Sections 420, 406, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is no any supporting document filed by the complainant showing that he had paid Rs. 70,000/- to the petitioner as alleged in the complaint petition. It is further submitted that there is no eye-witness of providing Rs. 55,000/- to the petitioner by the complainant. It has further been submitted that from the complaint petition, it would appear that the complainant had gone to Dubai



and joined his duty but he could not complete his duty because of his own laches. He has falsely implicated the petitioner in this case.

Considering the facts and circumstances of the case, the 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 Maharajganj P.S. Case No. 75 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 A.C.J.M.- Vth, Siwan, 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) 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 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 petitioner.

(Sanjay Priya, J.)

Rakhi/Abhijeet

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