

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26262 of 2019

Arising Out of PS. Case No.-1343 Year-2011 Thana- SARAN COMPLAINT CASE District-
Saran

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PRITHIVI RAJ CHOUHAN @ PRITHVI RAJ CHOUHAN Son of Sri Kedar Prasad @ Kameshwar Chauhan @ Thakur Prasad, Resident of Village- Balwa, P.O.- Bhadru, P.S.- Nagarnausa, Chandi, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dev Shankar Ray, Son of Late Shivpujan Ray, Resident of Village- Chhitrabalia, P.S.- Ekma, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyam Sundar Pd.
For the Opposite Party/s : Mr.Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory

bail in connection with Complaint Case No.1343 of 2011

registered for offence punishable under sections 420, 467, 468,

471 and 406 of the Indian Penal Code.

Allegation has been made that the petitioner for

instalation of tower took Rs.55,000/- from the complainant.

The tower was installed, but later on, it failed.

The learned counsel for the petitioner submits that

the petitioner is ready to return the aforesaid amount in four

equal instalments.



In such view of the matter, the petitioner is granted provisional bail and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on **provisional bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Chhapra, Saran in connection with Complaint Case No. 1343 of 2011, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. The 1st instalment must be paid within fifteen days from today and rest amount be paid in the gap of one month. The bail of the petitioner will be confirmed after payment of the entire amount. If the petitioner fails to pay any instalment within the stipulated period, the benefit extended to the petitioner will be treated to have been withdrawn.

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(Shivaji Pandey, J)

