

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70546 of 2018

Arising Out of PS. Case No.-239 Year-2018 Thana- RAMPUR District- Gaya

Sanjay Kumar @ Chhotu Sharma Son of late Brijbhushan Sharma@ Bigu Sharma Resident of Village- Ghejan, Police Station- Sakurabad, District- Jehanabad at Present resident of L.I.G. 376, Mustafabad, P.S. Rampur, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv
For the Respondent/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420 and 406 IPC registered in connection with Rampur P.S. Case No. 239 of 2018.

3. It is submitted that the petitioner has been falsely implicated in a transaction which is out and out of civil nature relating to alleged non-repayment of instalments for the truck purchased by the petitioners from the complainant-informant. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the complainant-informant appears suo motu and opposes the anticipatory bail petition.

5. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Rampur P.S. Case No. 239 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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