

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32108 of 2019

Arising Out of PS. Case No.-439 Year-2017 Thana- BAGHA District- West Champaran

JAWAHIR KUSHWAHA Son of Harishankar Kushwaha, Resident of Village-
Shashtri Nagar, Ward No. -13, Police Station- Bagaha Pathkhauli, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-05-2019 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 Bagaha Pathakhauli P.S. Case No. 439
of 2017, Tr. No. 3210 of 2018 registered for offence punishable
under sections 406 and 420 of the Indian Penal Code.

As per the agreement, the petitioner was given the
JCB machine though he had returned, but he did not pay the
rent. As per the claim of the petitioner, the machine has not
worked and on that account, the dispute of the payment of rent
arose, though the petitioner has criminal antecedent, but
looking to the nature of allegation, the prayer for bail of the
petitioner is allowed and he, in the event of arrest or surrender



before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Bagaha, west Champaran in connection with Bagaha Pathakhauli P.S. Case No. 439 of 2017, Tr. No. 3210 of 2018, 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.

(Shivaji Pandey, J)

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