

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 8376 of 2020**

Arising Out of PS. Case No.-801 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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PRAKASH HARIJAN S/o Sudin Harijan Resident of Village- Daharpur, P.S.-
Goradih and Distt- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madan Mohan
For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner apprehends arrest in connection with Kotwali
(Tilkamanjhi) Police Station (for brevity, *PS*) Case No 801 of
2019 instituted for the offence punishable under Section(s) 419,
420, 467, 468, 471, 120B of Indian Penal Code.

Even as per allegations made in the first information
report, it is submitted by the petitioner's counsel that the
petitioner has not submitted any false identification in support
of his standing as bailor. False documents, however, have been
submitted by Pappu Das. The petitioner was a bona fide bailor,
therefore, he had submitted his correct identity and has not
misrepresented in the process of standing surety for Pappu Das.



The petitioner is, therefore, entitled to pre-arrest bail. He undoubtedly would be responsible to cooperate in expeditious disposal of the trial. He is not having any criminal antecedent.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Tilkamanjhi) PS Case No 801 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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