

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5297 of 2020

Arising Out of PS. Case No.-1471 Year-2015 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Bimal Kishore Gupta S/o Late Ram Deo Gupta, Residing at New Shivpuri Colony, P.S.- Tilka Manjhi, Dist- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Manoj Singh Son of Late Bhuvneshwar Prasad Singh, Resident of Village-Parghari, Thana-Rajaun, District-Banka, presently residing at Raja S.N. Road, Mashakchak, Thana-Adampur, District-Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 02-03-2020 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.1471 of 2015 registered for offence punishable under sections 419, 406, 420, 504, 506, 120B/34 of the Indian Penal Code.

Allegation has been made that the property, which was subject matter of auction conducted by the petitioner, was already sold by the judgment debtor and the present petitioner was authorized to hold the auction, accordingly, the petitioner has discharged the official duty, thereby conducted auction in accordance with law.



Looking to the facts and circumstances of the case, 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 Chief Judicial Magistrate, Bhagalpur in connection with Complaint Case No.1471 of 2015, 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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