

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20464 of 2024

Arising Out of PS. Case No.-486 Year-2021 Thana- CHANPATIA District- West Champaran

SANTOSH KUMAR S/O MADAN PRASAD R/O VILLAGE- SONDHO
RATTI, P.S- GORAU, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. GANESH SAHU S/O RAMSHARAN SAHU R/O H.NO. 114, VILLAGE-
RASADA, P.S- PATRATU, DISTT.- RAMGARH, JHARKHAND.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard Mrs. Bela Singh, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Chanpatiya (Sirisiya) P.S. Case No. 486/2021 instituted under Sections 406, 420, of the Indian Penal Code lodged on 01.10.2021 by the informant, Ganesh Sah.

3. As per the prosecution story, the informant has alleged that he was working as an Assistant Manager with the Voltas Limited Company which was engaged in changing of the old electric wire in the Motihari Circle. It was handed over to M/s. Sapna Enterprises owned by the petitioner herein to work in Tumkariya feeder but neither the work was done nor the



articles returned and despite several letters to this effect as he chose not to return the articles, the FIR.

4. Learned counsel for the petitioner has straight away taken this Court to the document attached with the petition which is a petition before the learned CJM, West Champaran, Bettiah wherein the informant has stated that the amount of Rs. 3,50,000/- has been handed over by the petitioner to the informant's side and both do not want further litigation in the matter.

5. Learned APP though tried to opposes the prayer, in the opinion of this Court the amount having been returned, the petitioner do not have criminal antecedent, ultimately will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

6. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Chanpatiya (Sirisiya) P.S. Case No. 486/2021 to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as



also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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