

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Cr.Misc. No.3334 of 2010

SHIVJEE SETH S/O LATE BASUDEO PRASAD, R/O  
NURANGANJ P.S. SASARAM, DIST. ROHTAS.

---- PETITIONER

Versus

THE STATE OF BIHAR

---- OPP. PARTY.

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02 29.01.2010

Heard both sides.

Petitioner seeks anticipatory bail in a case instituted under Sections 401, 420/34 of the Penal Code.

It is contended that he was not arrested at the place of occurrence by the informant. Two persons were arrested at the platform. They, named the petitioner as one of their associates, in their respective statements, made before the police. Learned counsel for the petitioner, referring to the averments made in paragraph nos. 8 and 9, submits that there is no criminal antecedent of the petitioner and that he runs a grocery shop at Sasaram.

Having regard to the aforesaid facts, this Court is persuaded to extend the privilege of anticipatory bail to the petitioner. Let petitioner, above named, in the event of arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Railway Judicial Magistrate, Gaya in connection with Sasaram Rail P.S. Case No. 44 of 2009, subject to the conditions as laid down under Section 438(2) of the

Cr.P.C.

It is made clear that one of the bailors should be the own/close family member of the petitioner.

Sym/

**(Kishore K. Mandal, J.)**

