

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48866 of 2014

Arising Out of PS.Case No. -392 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN (MOTIHARI)

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1. Pramod Kumar, S/o Late Yamuna Prasad, R/o village and P.S. Bagaha,
District - West Champaran, at present Mohalla- New Gopalpur, P.S. and
Town - Motihari, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3/ 03-03-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 409, 420 Indian Penal Code.

Considering that it is noted in the impugned order
that Investigating Officer found that the schemes were half done
and the claim of the Petitioner is that work to the tune of around
₹eleven lac has been done even though advance of around ₹ten lac
was taken by him and that he is in custody since 09.09.2014, let
the Petitioner, above named, be released on bail on furnishing bail
bond of ₹5,000/-(Five Thousand) with two sureties of the like
amount each or any other surety to be fixed by the Court below to
the satisfaction of the Chief Judicial Magistrate, East Champaran,
Motihari, in connection with Motihari Town P.S. Case No.392 of

2014, subject to the 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 bailors will undertake to furnish information to the court about any change in the address of the petitioner,
- (ii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse,
- (iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, and
- (iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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