

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18886 of 2015

Arising Out of PS.Case No. -165 Year- 2014 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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Ramesh Thakur S/o Lagandeo Thakur Resident of Village - Bahuara, P.S. -
Rajapakar (Baranti O.P.), District - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Binod Kumar 3 (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 18-06-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner being a Mukhiya faces prosecution for offence under sections 406, 409, 420/34 of the Indian Penal Code for causing loss of Rs.2,17,188/- by way of excess amount paid for purchase of Solar light in the financial year 2006-07 to 2010-11 in complete defiance of the order of the State Government, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Learned counsel for the petitioner, however, has informed this Court that there is a certificate proceeding already instituted against the petitioner for a sum of Rs.1,19,011/- being almost half of the amount of loss.

Therefore, if the petitioner, Ramesh Thakur, surrenders and produces receipt showing payment of a sum of Rs.1,19,011/-



through a bank draft in the name of the Collector of Vaishali District within a period of four weeks from today, he shall 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 Chief Judicial Magistrate, Vaishali in Rajapakar (Baranti O.P.) P.S.Case No. 165/2014, subject to the following conditions:

(i) That the aforementioned amount of Rs.1,19,011/- deposited by the petitioner through the Bank draft in the name of the Collector of Vaishali District shall remain subject to the final result of the pending trial.

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

(iii) That the bailor shall also state on affidavit that he 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.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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