

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35427 of 2014

Arising Out of PS.Case No. -1036 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Mehilal Sah Son of Bilash Sah resident of village- Muzara, Ram Nagar,
P.S.- Ramnagar, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-406 and 420 of the Indian Penal code and 138 of the N.I. Act would primarily be against co-accused Shubham Kumar Srivastava, inasmuch as, money to the tune of Rs. 1,50,000/- was given by the complainant to Shubham Kumar Srivastava and that it was the cheque of Shubham Kumar Srivastava, which has ultimately bounced, this petitioner having only one more complaint case for the offence under Section-420 of the Indian Penal Code would be entitled for grant of anticipatory bail.



That being so, if the petitioner namely, Mehilal Sah, surrenders within a period of four weeks from today, he would 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 **J.M. 1st Class, Bagaha (West Champaran)** in connection with **Complaint Case No. 1036 of 2011** subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be 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.

(ii) 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.

(iii) That the petitioner will be present on the date fixed for charge and if he fails to do so on two given dates and/or delays the trial in any manner, his bail will be liable to be cancelled for reasons 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.

Ranjan/-

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(Mihir Kumar Jha, J)