

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43370 of 2014

Arising Out of PS.Case No. -2309 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Kaushal Kishore Singh Son of Tej Narayan Singh Resident of Village-
Maidapur, P.S.-Bochahan, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 10-04-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-406, 420, 467, 468 and 471 of the Indian Penal Code and learned counsel for the petitioner having found that it is an admitted position that Rs. 5, 00, 000/- was received by the petitioner for execution of sale deed and that such sale deed could not be executed by him for any other reason, and as such he is now prepared to refund the amount of Rs. 5, 00, 000/- to the complainant within a period of two months from today, this Court would find that if the petitioner namely, **Kaushal Kishore Singh** surrenders within a period of two months from



today and makes the payment of Rs. 5, 00, 000/- by bank draft payable in the name of the complainant, he on its being verified by the Court below 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 **Judicial Magistrate 1st Class, Muzaffarpur** in connection with **Tr. No. 3832 of 2014 arising out of Complaint Case No. 2309 of 2013** 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 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 the 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.

(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)