

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11563 of 2015

Arising Out of PS.Case No. -119 Year- 2013 Thana -KOTWALI District- MUNGER

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Raghubansh Mani Yadav son of Late Munilal Yadav, resident of
village/Mohalla- Premtola Farda, P.S. Naya Ram Nagar, District- Munger
.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. A.K. Thakur
Mr. Pravin Kumar
Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 25-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 406, 409, 419, 420 & 120(B) of the Indian Penal Code.

Though the petitioner besides others is named in the F.I.R., vide Annexure-1, as an accused, but admittedly the petitioner was not apprehended from the premises of Non-Banking Organization though as many as six bank officials were apprehended from there. It is contended by the learned counsel appearing on behalf of the petitioner that co-accused Sudarshan Kumar and Manoj Kumar who were apprehended from the premises of the Non-Banking Organization have already been granted bail by a Bench of this Court by order dated 16.08.2013 passed in Cr. Misc. No. 27951 of 2013 (Annexure-3). It is also contended that the petitioner is in judicial custody since 21.01.2015 and the case of the petitioner is on much better footing from those accused persons, who have already been granted bail.

Taking into consideration the aforesaid submissions, the prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 1,00,000/-

(Rs. One lakh) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Munger in connection with Kotwali P.S. Case No. 119 of 2013, dated 30.04.2013, subject to the conditions that:

- (A) One of the bailors shall be a government servant,
- (B) Other bailor shall be either a family member or a close relation of the petitioner,
- (C) The petitioner shall not leave the country without permission of the court below,
- (D) If he has any passport, then he shall surrender the same before the learned court below,
- (E) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (F) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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