

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35442 of 2014

Arising Out of PS.Case No. -17 Year- 2014 Thana -DULHIN BAZAR District- PATNA

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Mukesh Gope @ Mukesh Raushan Son of Late Rajeshwar Pd. Sinha
resident of Belhauri, P.S.- Dulhin Bzar, Dist.- Patna

.... 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-465, 468, 471, 120B of the Indian Penal Code relating to his obtaining the loan amount of Rs. 25,000/- from Patliputra Gramin Bank, Dulhinbazar branch on the basis of an alleged fake and forged land owner certificate and that he has a chequered criminal history of at least having four more criminal cases against him this Court is not inclined to grant privilege of anticipatory bail to the petitioner for the present but then it is directed that if the petitioner surrenders before the Court below within a period of four weeks along



with the cogent evidence to show that nothing now remains due against him on any loan account from Pataliputra Gramin Bank in Dulhinbazar and the petitioner has also deposited the amount of Rs. 25,000/- of the loan in question drawn on the basis of alleged fake and forged land owner certificate, 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 **A.C.J.M, Danapur (Patna)** in connection with **Dulhin Bazar P.S. Case No. 17 of 2014** 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 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.

(Mihir Kumar Jha, J)

Ranjan/-

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