

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3179 of 2015

Arising out of P.S. Case No. -57 Year- 2014 Thana -
MOTIHARI TOWN District- EASTCHAMPARAN (MOTIHARI)

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Shashi Bhushan Singh Son of Shri Ragho Prasad Singh
Resident of Collector Singh Keshari Nagar, P.S. Patliputra,
District - Patna, Presently Junior Engineer, District Fisheries
Office, Motihari, P.S. Nagar, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.

For the Opposite Party/s: Mr. Anil Kr.Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 27.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner is apprehending his arrest in a case
registered under Sections 409, 420, 467, 468, 469, 471 and
120B of the Indian Penal Code.

Considering that the allegations are only with regard
to illegal sanction of money but not defalcation and the money
has been returned by the incumbents, let him be released on
anticipatory bail in the event of arrest or surrender before the
learned Court below within a period of four weeks from the
date of receipt of the order on furnishing bail bond of Rs.
5,000/- (Five Thousand) with two sureties of the like amount
each or any other surety as fixed by the Court to the
satisfaction of Chief Judicial Magistrate, East Champaran at
Motihari in connection with Motihari Nagar P.S. Case No. 57

of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is he shall not be released on bail. (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 give an undertaking that he will receive the police papers on the given date and be present on 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. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

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(Anjana Prakash, J.)