

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18050 of 2015

Arising Out of PS.Case No. -330 Year- 2014 Thana -BASANTPUR District- SIWAN

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Md. Noor Alam Son of Md. Ilyas Resident of Village- Lakhnaura, Police
Station- Basantaur, District- Siwan.

... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate.

For the Opposite Party/s : Mr. Ganesh Pd. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 17-08-2015

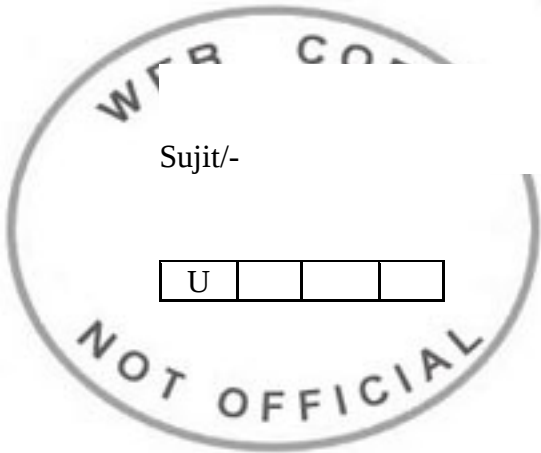
Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 120B, 323, 406, 420, 467, 468, 471, 472, 504 and 506 of the Indian Penal Code and the fact that during pendency of this application, the complainant sought to settle the matter purportedly on the basis of refund of his amount invested by him in a non banking financial company, of which the petitioner was also a part and that an application has also been filed by both the parties in the trial court for compounding the offence as also the matter pending in the consumer forum has been sought to be dropped by an order dated 18.06.2015 in Consumer Case No. 42 of 2015, this Court, taking into account that the petitioner has also no criminal antecedent, would direct the petitioner to surrender within a period of four weeks from today and the court below, on making enquiry from the complainant as with regard to the aforementioned correctness of the matter being

compromised out of court and finding it to be correct, shall grant bail to the petitioner namely, Md. Noor Alam, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 330 of 2014; subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioner, who will undertake 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 affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iii) 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 his bail on the ground of misuse.
- (iv) That the petitioner will be well represented on each and every date in course 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)

Sujit/-

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