

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6453 of 2015

Arising Out of PS.Case No. -311 Year- 2013 Thana -DARBHANGA District- DARBHANGA

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Binod Kumar Jha, son of Late Chandrakant Jha, resident of Titra Ashanand,
P.S.- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Tiwary, Adv.

For the Opposite Party/s : Mr. Ashok Kr. Singh 1(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 27-05-2015 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 406, 408, 409, 420, 467,
468, 471 and 120B/34 of the Indian Penal Code.

The Petitioner submits that altogether a sum of around
4,00,000/- rupees was excessively paid to the Supplier out of
which the co-accused has deposited 2,95,000/- in the Court below.

Considering the aforesaid on deposit of Rs.1,00,000/-
in the Court below within a period of four weeks without
prejudice to his case, let the Petitioner in the event of surrender,
named above, within four weeks from the date of receipt of
this order, in connection with Darbhanga Town P.S. Case No.
311 of 2013, be released on anticipatory bail on furnishing
bail bond of Rs.5,000/- (Five thousand) with two sureties of
the like amount each or any other surety to be fixed
by the Court concerned to the satisfaction of Chief Judicial

Magistrate, Darbhanga, 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.

S.Ali/-

(Anjana Prakash, J)

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