

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33925 of 2016

Arising Out of PS.Case No. -147 Year- 2015 Thana -RAGHUNATHPUR District- SIWAN

Ashish Nath Tiwary Son of Rajendra Nath Tiwary, Resident of village -
Murarpatti, Police Station-Raghunathpur, District - Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner : Mr. Raghav Prasad, Advocate

For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-09-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 406, 420, 323, 504 of the Indian Penal Code
registered in connection with Raghunathpur P.S. Case No. 147 of
2015.

3. It is submitted that the petitioner has been falsely
implicated as there is no material to support the claim that the
complainant/informant had made payment of Rs. 1,00,000/- to
the petitioner for securing a job for the complainant/informant
abroad. Moreover, the complaint was filed after an inordinate
delay on 13.07.2015 for the alleged occurrence of January, 2014
without adequate explanation for the delay.

4. Having regard to the entirety of the facts and

circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. IV, Siwan in connection with Raghunathpur P.S. Case No. 147 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C ., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iii) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/lbrar

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