

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36404 of 2016

Arising Out of PS.Case No. -105 Year- 2014 Thana -BARH District- PATNA

=====

Jitendra Kumar, Son of Lalit Mahto, Resident of Village- Makhdumpur,
P.S. + District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-09-2016

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 and 420/120B of the Indian
Penal Code registered in connection with Barh P.S. Case No. 105 of
2014.

3. It is submitted that the petitioner has been falsely
implicated under the erroneous impression that the petitioner is a
Director of the concerned Company, namely, Common Weal
Beverages Company Ltd. (C.W.B.C.L.) in which deposit of Rs.
25,00,000/- had been made by collection from the various
depositors. It is stated that the petitioner is merely an agent and
not the Director of the said Company.

4. Having regard to the entirety of the facts and
circumstances of the case, 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 bonds of Rs.10,000/- (ten
thousand) with two sureties of like amount each to the satisfaction
of learned Additional Chief Judicial Magistrate, Barh in connection

with Barh P.S. Case No. 105 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following conditions -

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

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) That 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)

B.T/Chandran

U		T	
---	--	---	--