

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55122 of 2015

Arising Out of PS.Case No. -67 Year- 2014 Thana -BANGAON District- SAHARSA

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Raushan Kumar @ Raushan Kumar Jha, Son of Ghuran Jha, resident of
village - Maladh, Police Station - Kishanpur, District - Supaul

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Advocate

For the State : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 22-04-2016

Heard learned counsel for the petitioner and the
State.

Petitioner apprehends his arrest in a case filed
under Sections 419, 420, 467, 468/34 of the Indian Penal Code.

As per the allegation, two cheques were given to
the petitioner and one Vikash Kumar by the informant. From one
of those cheques Rs.3,00050/-has been debited from his account
and credited in the account of co-accused, Mahesh Choudhary. It
is contended that co-accused, Vikash Kumar has already been
granted bail by a co-ordinate Bench of this Court vide order dated
14.10.2015 passed in Criminal Miscellaneous No.45534 of 2015
considering the main allegation being against this petitioner.
However, it is contended that from perusal of the F.I.R. it would

appear that identical allegation is against Vikash Kumar as well as Mahesh Choudhary who had visited the house of the informant along with the petitioner and received the cheques. It is further contended that the antecedent of the petitioner is clean.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Bangaon P.S. Case No.67/14, the above named petitioner, Raushan Kumar @ Raushan Kumar Jha shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of C.J.M., Saharsa subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure with the further 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.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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