

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38689 of 2016

Arising Out of PS.Case No. -79 Year- 2011 Thana -AURANGABAD TOWN District-
AURANGABAD

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Barun Kumar Singh @ Baroon Kumar Singh Son of Shri Sadhu Sharan
Singh resident of Village- Raksel Tendua, P.S. Hariharganj, District
Palamau (Jharkhand)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bindhayachal Singh,
Mr. Sushil Kumar Singh, Advocates

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-09-2016 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, 467, 468 and 120B
of the Indian Penal Code registered in connection with
Aurangabad (Town) P.S. Case No. 79 of 2011.

3. It is submitted that the petitioner has been
falsely implicated as he was no longer an employee of the
concerned company, namely, O.C.P.L. having left in the month
of April, 2009, whereas the date of occurrence stated to be
15.12.2010. The FIR has been instituted after an inordinate
delay on 16.03.2011 for the said occurrence. Similarly
situated co-accused Kumkum Mishra has been granted
anticipatory bail by this Court in Cr. Misc. No. 35411 of 2015.

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 Chief Judicial Magistrate, Aurangabad (Bihar) in connection with Aurangabad (Town) P.S. Case No. 79 of 2011, G.R. No. 533 of 2011, 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) 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

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