

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46581 of 2016

Arising Out of PS.Case No. -321 Year- 2014 Thana -PURNEA SADAR District- PURNIA

Janardan Mahaldar S/o Late Sunder Mahaldar, resident of village - Belouri,
P.S. Sadar (Muffasil), District-Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : M/s Sanjeev Kumar and Shamshad Alam
For the Opposite Party/s : Sri Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Sadar P.S. Case No. 321 of 2014 registered for
offence under section 394 of the Indian Penal Code.

It appears from the first information report, a motor
cycle was carrying Rs. 1057290/- (ten lacs fifty seven thousand
two hundred and ninety rupees), which was intercepted and on the
point of gun, the said money was looted away. From the
possession of the petitioner, Rs. 50,000/- was recovered and he
could not explain about the said money which led to his arrest.
The petitioner is an employee of the Bank and he was identified
that he was a member of such gang and on whose instance, this
crime was committed.



The counsel for the petitioner submits that the petitioner is in custody since 4th July 2014.

Looking to the period of custody, let the petitioner, Janardan Mahaldar, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnia in connection with Sadar P.S. Case No. 321 of 2014, subject to the condition that (i) one of the bailors shall be father/mother/wife/son of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate in the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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