

Arising Out of

=====

Dwarika

Police Station

1. The

2. Jyoti

Begum

=====

Appeal

Dwarika Mahto, son of Sohrai Mahto, Resident of Mohalla - Sandalpur,
Police Station - Bahadurpur, District - Patna.

..... Petitioner

Versus

1. The State of Bihar.
2. Jyoti Bhushan, son of Late Mahadeo Lal, resident of Mohalla - Bahari Begumpur, P.S. - Bye-Pass, District - Patna.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party: Smt. Sucheta Yadav, 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 of the Indian Penal Code registered in connection with Complaint Case No. 1163 of 2014.

3. It is submitted that the petitioner has been falsely implicated and the dispute is in essence of civil nature. In any event, the petitioner expresses willingness to deposit the entire amount of Rs. 2,51,000/-.

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, Patna City in connection with Complaint Case No. 1163 of 2014, 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) 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.

(iv) That the petitioner shall deposit a total amount of Rs. 2,51,000/- in five equal monthly instalments before the learned Court below within five months from the date of receipt/production of this order. Such deposit shall abide by the result of the trial.

(v) That the provisional bail shall stand confirmed upon deposit of the entire amount by the petitioner.

(Vikash Jain, J)

B.T/Chandran

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