

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36584 of 2017

Arising Out of PS.Case No. -145 Year- 2017 Thana -GARDANIBAGH District- PATNA

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Rajendra Paswan @ Rajendra Prasad, Son of Late Ram Khelawan
Paswan, R/o Village- Bochaha, P.S.- Bochaha, District- Muzaffarpur,
presently Resides in Gardanibagh, P.S.- Gardanibagh, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Rajeev, Advocate

For the State : APP

For the Informant : Mr. Sanjay Kr. Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 31.05.2017 in connection with Gardanibagh P.S. Case No. 145 of 2017 for the offences alleged under Sections 406 and 420 of the Indian Penal Code; and Section 138 of the Negotiable Instrument Act.

3. It is submitted that the petitioner has been falsely implicated and in any view of the matter, the entire repayment has been made to the informant as evident from some of the receipts enclosed as Annexure-2 of the bail petition. It is further submitted that even according to the FIR, it is evident that the transaction between the parties was of civil nature without any criminal elements. The petitioner claims clean antecedents.

4. Learned counsel for the informant appearing suo motu opposes the bail petition.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten



thousand) with two sureties of like amount each to the satisfaction of Smt. Sangeeta Rani, learned Sub-Judge-XIV-cum-ACJM, Patna, in connection with Gardanibagh P.S. Case No. 145 of 2017 on 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) 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) The petitioner shall cooperate with the investigation, if not already concluded, 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.

(Vikash Jain, J)

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