

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38074 of 2017

Arising Out of PS.Case No. -305 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI

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Rakesh Kumar Jha @ Rakesh Jha son of Durganand Jha, resident of
village - Bhawanipur, Police Station - Sakri (Pandaul), District -
Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shailendra Kumar Jha, Advocate.
For the State : Mr. J.K. Singh, APP
For the Opposite Party : Mr. Awadhesh Kumar
Mr. Ashit Ranjan, Advocates.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 10-102017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 26.05.2017 in connection with Madhubani Town P.S. Case No. 305 of 2016 corresponding to G.R. No. 1697 of 2016 for the offences alleged under Sections 406, 420, 120(B), 504 and 467 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated who is merely the General Manager for the Madhubani Branch of Jyoti Credit and Saving Swamlambi Sahkari Samiti Limited and was a mere employee of the said Co-operative Society. It is not in dispute that the money deposited by the various persons has been sent to Delhi Office and it was assured that the money would be refunded to the depositors as and when the same was received from Delhi. There is no accusation that the petitioner has misappropriated the money received from depositors nor has he committed any forgery. It is further submitted that the informant himself was the Marketing Manager of the Co-operative Society



entrusted with the work of collecting deposits from the public.

4. 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 learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town P.S. Case No. 305 of 2016, corresponding to G.R. No. 1697 of 2016, 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)

Md. Ibrarul/BT

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