

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52009 of 2017

Arising Out of PS.Case No. -91 Year- 2016 Thana -MAHESHKHUNT District- KHAGARIA

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Jitendra Mishra, son of Shashi Bhushan Mishra, resident of village -
Ganeshpur, P.S. Puraini, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Maheshkhunt P.S.**

Case No. 91 of 2016 instituted for the offence under Sections 419, 420
and 406/34 of the Indian Penal Code.

There is allegation in the written report that this petitioner
who is said to be the Chief Executive of Bihar Cooperative Credit
Society Limited of Maheshkhunt Branch, Khagaria, has taken an
amount of Rs.2,50,000/- from the informant on assurance to provide
him job. It is further alleged that he also took money from different
villagers as mentioned in the First Information Report. It is further
alleged that the accused persons neither provided him job nor returned
money. They have cheated the informant.

Learned counsel for the petitioner has submitted that
petitioner has clean antecedent. He has submitted that the informant



being the worker of the Society was given loan of Rs.25,00,000/- and when the said amount was demanded from the informant, the petitioner has been falsely implicated in this case.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Maheshkhunt P.S. Case No. 91 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-III, Khagaria**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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