

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49349 of 2017

Arising Out of PS.Case No. -171 Year- 2017 Thana -SAMASTIPUR District- SAMASTIPUR

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Pradip Das S/o Rajendra Das, R/o Village- Dumaria, P.S.- Mahadpur,
District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections
401,419,420,448/34 of the Indian Penal Code.

The allegation in the FIR is that the petitioner and other
co-accused persons were indulging in cheating the persons visiting
the head branch of SBI, Samastipur by promising to multiply the
money.

It is submitted on behalf of the petitioner that there is
no such complaint against the petitioner and others from any
person and that he has been arrested merely on the basis of
suspicion. It is further submitted that nothing incriminating articles
have been recovered from the possession of the petitioner and



prior to the instant case the petitioner has no criminal antecedent. It is also submitted that all the Sections except Section 420 are bailable. The petitioner is in jail custody since 22.07.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in Samastipur Town P.S. Case No. 171 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail



on the ground of misuse.

- (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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