

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24769 of 2018

Arising Out of PS.Case No. -338 Year- 2011 Thana -AURANGABAD TOWN District-
AURANGABAD

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Surendra Mishra @ Surendra Kumar Mishra S/o Mahesh Mishra, aged about 57 Years, R/o Vill.- Rudrapur, P.S.- Andhra Thadhi, District- Madhubani, at present residing at Street No. 136/K, Hospital Road, P.S.- Uttarpara, District- Hugli, (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 16.11.2017 in connection with Aurangabad Town P.S. Case No. 338 of 2011 for the alleged offences under Sections 420, 467, 468, 406 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and he is merely a Director of the company and has not directly collected any amount from the public which was done by the agents concerned. The petitioner was granted anticipatory bail by this Court on 02.11.2015 in Cr. Misc. No. 45939 of 2015 but, however could not furnish bail bond nor deposit the amount of Rs.



1,20,000/- subject to which anticipatory bail has been granted owing to treatment of heart problems.

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, Aurangabad, in connection with Aurangabad Town P.S. Case No. 338 of 2011, 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 co-operate 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.

(iv) 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.

(v) That the petitioner shall deposit a sum of Rs. 1,20,000/- (Rupees one lac twenty thousand only) within a period of two



weeks from today before the learned trial Court and the learned trial Court shall keep the amount in question under fixed deposit in a Nationalized bank or in the Post Office, till conclusion of the trial. In the event of acquittal of the petitioner the amount shall be handed over to him and if held guilty the said amount shall be forfeited and would abide by the final result of the trial.

(Vikash Jain, J)

Chandran/BT

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