

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13139 of 2018

Arising Out of PS.Case No. -369 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

=====

1. Nilmani Jha, son of Madhusudan Jha, Resident of Village- Dayanatpur,
P.S. Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lalit Narayan Jha

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Gandhi Maidan P.S.Case no.369 of 2017 , registered for offences punishable under Sections 409, 201, 120B and 34 of the Indian Penal Code.

Allegation against the petitioner is of defalcation of Rs.32,000/- and odd from the Sales Manager of Bihar State Transport Corporation.

Submission of the learned counsel for the petitioner is that the FIR at page 20 shows that the other accused persons are responsible for the said defalcation and not the petitioner in spite of that he has been made accused in this case.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-cum-Sub Judge-IV, Patna in connection with Gandhi Maidan P.S.Case no.369 of 2017 dated 13.7.2017. subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

