

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51142 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. HITENDRA KUSHWAHA @ HITENDRA SINGH KUSHWAHA S/o
Ramashray Kushwaha, R/o Vill.- Gambhirpur, P.S.- Bairiya, Distt.- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-09-2018 The petitioner is apprehending his arrest in connection
with Bairiya P.S. Case No. 14/2018, registered for offences
punishable under Sections 379 and 409 of the Indian Penal Code.

Allegation as per F.I.R. is that a boat was given to one
Bhannu Prasad from the Anchal Office for the help for flood
victims and the petitioner is said to be the guarantor of the same.

Submission of learned counsel for the petitioner is that
there is no paper available to show that the petitioner is a
guarantor and rather he was only an Identifier of the same and the
boat has been lost by Bhannu Prasad and for that the petitioner
cannot be made responsible.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IVth, Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 14/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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