

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56630 of 2018

Arising Out of PS.Case No. -315 Year- 2015 Thana -MADHEPURA District- MADHEPURA

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Prof. Md. Abdul Quayam @ Md. Kayam S/o Late Md. Abdul Kudus, R/o Madhepura, Ward No. 11, Laheri Tola, P.S.- Madhepura, District- Madhepura, at present the Superintendent , Minority Hostel, Madhepura-Cum-Lecturer, R.P.M. Degree College, Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 409 and 420 IPC registered in connection with Madhepura P.S. Case No. 315 of 2015.

3. It is submitted that the petitioner has been falsely implicated and in any event the petitioner expresses that he would deposit the amount of Rs. 52,232/- said to have been defalcated by him within a period of four months from today. The petitioner claims clean antecedents.

4. Be that as it may, in the event of petitioner's arrest or surrender within six weeks hereof let the above named petitioner be released on provisional anticipatory 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, Madhepura in connection with Madhepura P.S. Case No. 315 of 2015 subject to



the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions:

(i) That the petitioner shall deposit the amount of Rs. 52,232/- in four equal monthly instalments, the first by 31st October, 2018, before the learned Court below and such deposit shall abide by the final result of the trial.

(ii) The provisional bail shall stand confirmed upon deposit of the entire amount of Rs. 52,232/- within the stipulated time. Failure to make payment of the instalments shall render the petitioner liable for cancellation of the bail bonds by the trial Court.

(iii) That one of the bailors shall be a close relative of the petitioner.

(iv) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(v) 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.

(vi) 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.

(Vikash Jain, J)

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