

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17051 of 2018**

Arising Out of PS.Case No. -81 Year- 2011 Thana -AURANGABAD TOWN District-  
AURANGABAD

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1. Surendra Mishra @ Surendra Kumar Mishra Son of Mahesh Mishra, aged about 57 years Resident of village- Rudrapur, Police Station- Andhra Thadhi, District Madhubani at Present residing at Street No. 136/K, Hospital Road, Police Station- 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. Sunil Kumar  
Mr. Bibhuti Raj

For the Opposite Party/s : Mr. Ajay Kumar No. 1

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

2      26-03-2018

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner, already in custody since 7.11.2017, seeks bail in Aurangabad Town PS Case No. 81 of 2011, registered under Sections 406, 420, 467, 468 and 120B of the IPC.

The allegation in brief is that the petitioner is Director of OCPL Company engaged in doing work of agent of various insurance company and making investments in the bonds and it is alleged that from various insurance policy holders premium amount was received but the same was not deposited.

It is submitted that the petitioner was granted anticipatory bail by order dated 12.8.2015 on the condition of paying a sum of thirty thousand rupees by bank draft in the name of the informant Shiv Prasad Gupta. However the petitioner has remained in custody since 7.11.2017. Further it is submitted that the petitioner is ready to deposit thirty thousand rupees as earlier directed by this Court in the anticipatory bail petition as per its terms.



Having considered the said facts and circumstances, the petitioner Surendra Mishra @ Surendra Kumar Mishra is directed to be released on provisional bail for a month on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Aurangabad in connection with Aurangabad Town PS Case No. 81 of 2011 on the condition that he shall submit a bank draft of thirty thousand rupees within a month from the release in the name of Shiv Prasad Gupta, the informant of the case, which will be handed over to him by the court below and that shall be subject to the final outcome of the case. After payment of the bank draft of thirty thousand rupees by the petitioner the provisional bail granted to him shall be confirmed.

- (i) One of the bailors shall be a family member of the petitioner.
- (ii) The petitioner shall appear before the trial court on each date and in case of failure to appear on two consecutive dates except because of reasonable cause his bail bonds shall be liable to be cancelled.

**(Arun Kumar, J.)**

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