

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46536 of 2018

Arising Out of PS.Case No. -365 Year- 2011 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Dhiraj Prasad @ Dhiraj Kumar Prasad S/o Ram Niwas Prasad, R/o Vill.-
Kasmagarh, P.S.- Gomia, District- Bokaro (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Aurangabad Town P.S.Case No.365 of 2011 registered for offences punishable under Sections 420, 467, 468, 406,120(B) of the Indian Penal Code.

Allegation against the petitioner and other accused persons is that the informant deposited Rs.5,77,000/- on behalf of the several policy holders and they were not supplied bond papers and it is further alleged that when the bond papers could not be supplied a meeting was convened and the informant placed their problem but the meeting was over without redressal of their grievances.

Submission of the learned counsel for the petitioner is that the petitioner is an employee and there is nothing in the FIR to



show that he has defalcated money. Furthermore, other accused persons who are also employees have been granted bail by Co-ordinate Benches of this Court, vide order dated 28.7.2015 passed in Cr. Misc. No.26491 of 2015, order dated 19.2.2016 passed in Cr. Misc. No.43760 of 2015 and order dated 30.1.2017 passed in Cr. Misc. No.2036 of 2017.

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, be enlarged 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 Additional Sessions Judge-I, Aurangabad in connection with Aurangabad Town P.S.Case No.365 of 2011.

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 disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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