

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.664 of 2018

Arising Out of PS.Case No. -1 Year- 2015 Thana -BABUBARHI District- MADHUBANI

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Rajni Kant Mishra, son of Late Surya Kant Mishra, resident of Village-
Bhavanipur, P.S.- Pandaul, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manager Uttar Bihar Gramin Bank Branch Bhupatti, P.S.- Babu Barhi,
District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate
For the Opposite Party/s : Mr. Sri Binod Kumar, APP
For the Bank : Mr. Prabhakar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 420 and 409
of the Indian Penal Code.

Petitioner's counsel submits that though the
allegation pertains to his service period the FIR itself reveals that he
has retired in June, 2012. However, the FIR has been lodged in
January, 2015 on the basis of audit report details of which has not
been mentioned in the FIR. He further submits that he is a retired
person and his retrial dues were also withheld. He further submits
that though the petitioner is accused in one another case which has



been mentioned in Para 3 of the bail petition but he is on bail.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Madhubani** in **Babubarahi P.S. Case No. 1 of 2015** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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