

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18935 of 2018

Arising Out of PS. Case No.-239 Year-2017 Thana- BOCHHA District- Muzaffarpur

Jitendra Kumar @ Jitendra Ram, Son of Sonelal Ram, R/o Vill. Bajitpur
Majhauri, P.S. Bochahan, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 21-05-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends arrest in Bochahan P.S.
Case No. 239 of 2017 instituted for the offence under Sections
406,420,409/34 of the IPC.

In the written report, it is alleged that informant has
deposited amount in different schemes in Non-banking Company
with name Jeevan Prakash India situated at Patiyasa Chowk
Darbhanga, Road Muzaffarpur. It is further alleged that the
Director of the aforesaid company was one Sudish Kumar. The
petitioner was agent of that Non-banking Company. It is alleged
that the informant has deposited total amount of Rs. 1,55,950/- in
the aforesaid Non-banking Company. But the Director and the
agent of the company are denying to refund the aforesaid amount.

From the written report itself, it appears that
petitioner was the agent of that company. There is specific



allegation leveled against co-accused Sudish Kumar.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bochahan P.S. Case No. 239 of 2017 to the satisfaction of the learned Sub Judge-XI-cum-ACJM, Muzaffarpur, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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