

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4465 of 2018

Arising Out of PS. Case No. -43 Year- 2016 Thana -BUXAR District- BUXAR

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Harendra Kumar Shukla, S/o Late Kamla Prasad Shukla, resident of
Village- Gaytri Nagar Jail Road Buxar, P.S.- Buxar- Town, District- Buxar.
..... Petitioner

Versus

1. The State of Bihar.
2. Anand Mohan Raman (Branch Manager Bank of Baroda) S/o
Yaduvansh Narayan Das, R/o- Village- Kamrouli, P.S. Simri, District-
Darbhanga, At present- Branch Manager Bank of Baroda Buxar, P.S.-
Buxar (Town), District- Buxar.

..... Opposite Parties

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Appearance :

For the Petitioner : Mr. S.N.P. Sinha, Sr. Advocate
Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-03-2018 Heard learned senior counsel for the petitioner
and learned APP for the State.

2. The petitioner has renewed his prayer for
anticipatory bail in connection with Buxar Town P.S. Case No.
43 of 2016 for the offences alleged under Sections 467, 468,
471, 472, 409, 419, 420 and 34 of the Indian Penal Code
having earlier been rejected by this Court by order dated
07.02.2014 in Cr. Misc. No. 17082 of 2016.

3. Learned senior counsel appearing on behalf of
the petitioner submits that he is ready and willing to make
payment of the amount outstanding against him. It is further
submitted that through sheer inadvertence, the fact that
similarly situated co-accused, namely, Dinesh Kumar Rai and
Umesh Kumar Rai; and Smt. Pikeshe Rai @ Pinkesh Rai and
Deepak Rai @ Deepak Kumar Rai had been granted



anticipatory bail vide orders dated 28.04.2016 and 21.07.2016 by this Court in Cr. Misc. No. 14521 of 2016 and Cr. Misc. No. 14632 of 2016, respectively, could not be brought to the notice of this Court.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Buxar, in connection with Buxar Town P.S. Case No. 43 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and with following additional conditions –

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

(ii) That the petitioner shall make payment of Rs. 1,00,000/- (Rupees one lakh) to the Bank by the end of this month and thereafter make regular payments of monthly instalments of Rs. 1,00,000/- (Rupees one lakh) each until the amount in question has been repaid, together with interest against the petitioner who will be at liberty to negotiate with the Bank with regard to interest.

(iii) Default of payment of any instalment shall result in automatic cancellation of the anticipatory bail granted to the petitioner.

(iv) 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.

(v) The petitioner shall cooperate 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.

B.T/Chandran

(Vikash Jain, J)

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