

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2954 of 2019

Arising Out of PS. Case No.-719 Year-2018 Thana- SHEKHPURA District- Sheikhpura

Md. Shakil Akhtar @ Shakil Akhtar Jamil Akhtar (in the First Information Report it is written as Hawaldar Md. Shakeel Akhtar Khata No. 11050294089) Resident of Village - Ogawan, P.S. - Asthawan, District-Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Mr. Shashank Shekhar Mr. Ritway Raman, Advocates
For the State	:	Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, 409, 420, 120B of the Indian Penal Code and Section 66(D) of Information and Technology Act, 2008 registered in connection with Sheikhpura Sheikhpura P.S. Case No. 719 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that an amount of Rs. 22,97,673/-was fraudulently transferred into his account through computer operator. It is submitted that in any event an amount of Rs. 5,86,029/- has already been returned by the petitioner during the period 2018-19. Learned counsel for the petitioner states on instructions that the petitioner expresses his readiness to deposit the remaining amount in reasonable instalments.

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 provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura No. 719 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That the petitioner shall deposit the amount of Rs. 17,11,644/- before the learned court below in three equated monthly installment, the first of which shall be deposited on or before 28th February, 2019 and the provisional bail of the petitioner shall be confirmed on deposit of the remaining amount.

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

(iii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(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) That 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.

BT/Chandran

(Vikash Jain, J)

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