

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14686 of 2019

Arising Out of PS. Case No.-167 Year-2018 Thana- PARWALPUR District- Nalanda

SURAJ CHOUDHARY S/o Arvind Choudhary village-Parwalpur,P.S-
Parwalpur,Distt.-Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Babu Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 467, 468, 34 IPC registered in connection with Parwalpur P.S.Case No. 167 of 2018.

3. It is submitted that save and except the petitioner is said to have furnished the same mobile number of the co-accused while opening their bank account with the CSP of Bank of India, there is no other accusation in the FIR and as such no offence is made out under the penal provisions as alleged. There is no complaint of misuse of ATM card by anyone. Co-accused Mukesh Kumar has been granted bail by the learned Court below. The petitioner claims clean antecedents.

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 ACJM, Hilsa, Nalanda, in connection with Parwalpur P.S. Case No. 167 of 2018 subject to the conditions as laid down under Section 438 (2)



Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate 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.
- iv. 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.

(Vikash Jain, J)

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