

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13434 of 2019**

Arising Out of PS. Case No.-207 Year-2018 Thana- MUFFASIL District- Aurangabad

Bhushan Singh, aged about 26 years, Gender Male, Son of Sri Triloki Sharma, Resident of Village- Lala Bhadsara, P.S.- Dulhin Bazar, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                                                        |
|--------------------|---|------------------------------------------------------------------------|
| For the Petitioner | : | Mr. N.K. Agrawal, Sr. Advocate<br>Mr. Digvijay Narayan Singh, Advocate |
| For the State      | : | Mr. Rajendra Pd. Nat, APP                                              |
| For the Informant  | : | Ms. Prakritita Sharma, Advocate                                        |

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      06-03-2019                      Heard learned senior counsel for the petitioner and learned APP for the State assisted by learned counsel for the informant appearing suo motu .

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, 420, 467, 468, 471 and 120(B) of the Indian Penal Code registered in connection with Aurangabad Muffasil P.S. Case No. 207 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the owner of the truck which was loaded with cement belonging to the informant's Transport Agency and which did not reach the destination. It is submitted that total value of the cement not delivered is about Rs. 14,12,000/- and the petitioner expresses his readiness to make payment of the said amount to the informant within a period of four months hereof.

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 anticipatory 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, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 207 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) 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.

5. The petitioner shall make payment of Rs. 14,12,000/- to the informant in four equal monthly installments, the first of which shall be paid by 31.03.2019.

6. The provisional anticipatory bail granted to the petitioner shall stand confirmed if payment of the said amount of Rs. 14,12,000/- is made within the stipulated period. In case the petitioner fails to make payment of any two consecutive installments the bail bonds of the petitioner shall stand cancelled.

**(Vikash Jain, J)**

BT/Chandran

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