

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16302 of 2019

Arising Out of PS. Case No.-831 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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MUKESH KUMAR Son of Sri Laxman Mishra Resident of Village - Barwat
Pasrain, P.S.- Bettiah Muffasil, District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 406/420 IPC registered in connection with Bettiah
Town P.S. Case No. 831/2018.

3. It is submitted that the petitioner has been falsely implicated
on mere suspicion and except which there is no other material to
connect the petitioner with the alleged occurrence. It is submitted
that no person has come forward with the allegation of having been
cheated by the petitioner nor any amount shown to have been paid to
the petitioner upon inducement. It is therefore, submitted that the
ingredients of the offence alleged are not made out. 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
CJM, Bettiah, West Champaran, in connection with Bettiah Town P.S.
Case No. 831/2018, 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)

Chandran/-

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