

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15061 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- CHAND District- Kaimur (Bhabua) *

HIRDAU BIND @ HARDEYNARAYAN BIND S/o Panaroha Bind,
Resident of Village-Baheriya, P.S.-Chand, District-Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 406, 409, 504, 506/34 IPC registered in connection with Chand P.S. Case No. 256 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the accusation that the informant had advanced an amount of Rs. 1,25,000/- as loan to the petitioner in the year 1995 is improbable and in any event not supported by any document. It is submitted that the petitioner's wife has not suffered any illness in the year 1995 for which the money is alleged to have been taken by him. The demand for repayment has been made more than two decades later, but no such complaint was ever made in the interregnum. 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 IV, Kaimur at Bhabua in connection with Chand P.S. Case No. 256



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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