

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23702 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- DALSINGHSARAI District- Samastipur

MD. AMJAD Son of Nur Mohammad Resident of Village-Mahmadpur Sakra
Mustafapur P.S-Vibhutipur District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1

For the Opposite Party/s : Mr. R.P.Nat,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-04-2019 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, 379,. 419, 420/34 IPC and Section 138 of the N.I. Act registered in connection with Dalsingsarai P.S. Case No. 293/2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of ongoing business dispute and for which the petitioner has also filed Complaint Case No. 1746 of 2018 (Annexure-2). It is further submitted that the ingredients of accusation under Section 420 IPC and under Section 138 of the N.I. Act are not made out against the petitioner. The accusations under Section 379 IPC is mere embellishment. 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 I, Dalsingsarai, in connection with Dalsingsarai P.S. Case No. 293/2018, 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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