

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24344 of 2019

Arising Out of PS. Case No.-334 Year-2018 Thana- NOORSARAI District- Nalanda

Shambhu Sharan Pandey, aged about 43 years, male, Son of Suresh Pandey,
Resident of Village-Badara, P.S-Noorsarai, District-Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Vikramdeo Singh, Mr. Sada Nand Roy, Advocates
For the Opposite Party	:	Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-05-2019 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, 504 and 506/34 of the Indian Penal Code registered in connection with Noorsarai P.S. Case No. 334 of 2018.

3. It is submitted that the petitioner has been falsely implicated and except bald accusation made by the informant in the first information report, there is no objective material to connect the petitioner with the alleged occurrence. It is submitted that in absence of entrustment, the ingredients of the offence under Section 406 of the IPC 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Noorsarai P.S. Case No. 334 of 2018, subject to the conditions as laid



down under Section 438 (2) of the Code of Criminal Procedure 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.

(Vikash Jain, J)

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