

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77035 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- MAGADH MEDICAL
COLLEGE District- Gaya

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Hare Ram Chaudhary Son of Ram Kumar Chaudhary, resident of Village-
Sahora, P.S.- Ashok Paper Mill, District- Darbhanga, at present posted as
Lifting Incharge, B.S.F.C, Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 120(b)/420/34 of the Indian Penal Code
and Section 7 of E.C. Act, 1955 registered in connection with
Magadh Medical P.S. Case No. 153 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be the Lifting
In-charge. The case of the petitioner stands on better footing
than the transporter Md. Irshad Khan @ Md. Irshad who has been
granted anticipatory bail by this Court in Cr. Misc. No. 57569 of
2018. So also the Assistant Godown Managers Janaki Sharan and
Sanjeev Kumar have been granted anticipatory bail by this Court
in Cr. Misc. No. 53857 of 2018. The petitioner claims clean
antecedents.

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate-4th, Gaya in connection with Magadh Medical P.S. Case No. 153 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) 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.

(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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