

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32238 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- VAISHALI District- Vaishali

SUMAN KUMAR S/o Ashok Singh @ Ashok Kumar Singh R/o village-
Rukmanjari (Rasulpur Koirgawa), P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 09-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 392 of the Indian Penal Code registered in connection with Vaishali P.S. Case No. 106/2018.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against three unknown persons and the subject materials namely, Balmukund Super TMR Saria were the property of the petitioner himself. Subsequently a separate FIR in Goraul P.S. Case No. 132 of 2018 under Section 414 of the Indian Penal Code has been lodged relating to the materials namely, Balmukund Super TMR Saria, in respect of which the petitioner has already been granted anticipatory bail by this Court in Cr. Misc. No. 55893 of 2018 (Annexure-3) on the plea that the said materials comprised the stock of the petitioner having been purchased under valid tax invoices. Except the aforesaid Goraul P.S. Case No. 132 of 2018, 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, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 106/2018, 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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