

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42071 of 2019

Arising Out of PS. Case No.-94 Year-2018 Thana- SIWAN CITY District- Siwan

=====

KRISHNA KUMAR Son of Late Nagina Barai Resident of Village P.O. and
P.S.- Raghunathpur, Distt - Siwan at present at Krishna Enterprises, Mohalla -
Bara Telpa, P.S.- Chapra Town, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Nagendra Rai
		Mr. Koshalendra Rai
		Mr. Navin Nikunj
For the Opposite Party/s :		Mr. Raj Ballabh Singh

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406 and 420 IPC and Section 138 of the N.I. Act registered in connection with Siwan Town P.S. Case No. 94 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of a dispute which is purely of contractual nature relating to amount of Rs. 2,72,000/- allegedly owing from the petitioner (sub-dealer of the informant) against supply of iron bars by the informant. It is submitted that the petitioner admitted his dues to the extent of Rs. 70,000/- which was duly encashed by the informant. 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, Siwan, in connection with Siwan Town P.S. Case No. 94 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)

Chandran/-

U		T	
---	--	---	--

