

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40434 of 2019

Arising Out of PS. Case No.-37 Year-2016 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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MANOJ KUMAR BARI @ MUNNA BARI S/o Sri Shambhu Bari R/o-
Mohalla- Gangwara, P.S.- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-07-2019 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, 420 and 34 IPC registered in connection with
L.N.M.U. (Darbhanga) P.S. Case No. 37 of 2016.

3. It is submitted that the petitioner has been falsely implicated
in a dispute related to purchase and sale of land. It is submitted that
the petitioner is neither the buyer nor the seller rather the intending
purchaser had admittedly paid advance of R. 2,50,000/- to co-accused
Raja Ram Thakur. It is submitted that in any event the nature of
dispute between the parties is purely of civil nature. The petitioner is
accused in one prior case of different nature, in which he is on bail.

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, Darbhanga, in connection with L.N.M.U. (Darbhanga) P.S. Case No.
37 of 2016, 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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