

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40931 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- MAKER District- Saran

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Gopal Ram (Male), aged about 30 years Son of Deo Nath Ram, Resident of
Village - Haijalpur, P.S.- Maker, District - Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party : Mr.Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 420, 384, 504 and 506/34 of the
Indian Penal Code registered in connection with Maker P.S. Case No.
101 of 2018.

3. It is submitted that the petitioner, who is the President of
the Implementation Committee of Gram Panchayat Raj, Baghakol of
which the informant is the Secretary having joint bank account, has
been falsely implicated on the accusation that upon the informant's
refusal to accede to the petitioner's direction to sign blank cheques,
co-accused Abhishek Kumar Singh and Praveen Kumar Singh
forcibly got the cheques signed on the point of pistol in presence of
the petitioner. It is submitted that the FIR has been lodged in
retaliation to the petitioner's own FIR in Maker P.S. Case No. 98 of
2018 against the informant. There is considerable delay in lodging
the FIR on 14.07.2018 for the occurrence of 08.07.2018. The
aforesaid co-accused Abhishek Kumar Singh and Praveen Kumar
Singh have been granted anticipatory bail by this Court vide order



dated 15.01.2019 passed in Cr. Misc. No. 70516 of 2019. 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 Additional Chief Judicial Magistrate-XII, Saran at Chapra in connection with Maker P.S. Case No. 101 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. 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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