

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70348 of 2018

Arising Out of PS. Case No.-398 Year-2018 Thana- BANKA District- Banka
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Bajrangi Mahto Son of Baleshwar Mahto, Resident of Village-Amarpur, P.S.
Banka, District-Banka.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-02-2019 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, 409/34 of the Indian Penal Code
registered in connection with Banka P.S. Case No. 398 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and in any event the amount of Rs. 9,02,905/- is said
to have been defalcated has since already been deposited in the
Government bank account by the Panchayat Secretary. The
petitioner has been implicated merely because he was the
Mukhiya of the Panchayat. 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 Chief Judicial Magistrate, Banka in
connection with Banka P.S. Case No. 398 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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