

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70451 of 2018

Arising Out of PS. Case No.-249 Year-2018 Thana- PATORI District- Samastipur

Upendra Singh @ Upendra Prasad Singh Son of Alakhdev Singh, resident of
Village- Rasalpur, P.S. Patory (Mohanpur O.P.), District- Samastipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Kumar, Advocate
For the Opposite Party : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 28-02-2019 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, 420, 467 and 471 of the Indian Penal Code registered in connection with Patory P.S. Case No. 249 of 2018.

3. It is submitted that the petitioner has been falsely implicated and in any event the entire amount relating to 540 quintals of wheat together with interest, in all amounting to Rs. 9, 46,000/-, has since been deposited as evident from the certificate dated 03.08.2018 (Annexure-2) issued by the Samastipur District Co-operative Bank Limited, Patori Branch. The petitioner, who is the Chairman of the PACS, Dharnipatti East, claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner by order dated 21.12.2018 by this Court in connection with Patory P.S. Case No. 249 of 2018 pending in the Court of learned Additional Chief Judicial Magistrate-IV, Samastipur is hereby confirmed, 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.

BT/-

(Vikash Jain, J)

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