

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44067 of 2019

Arising Out of PS. Case No.-294 Year-2018 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Vijay Kamti, Son of Late Thako Kamti, Resident of Village - Harauli, P.O.-
Satighat, P.S.- Kusheshwar Asthan, Dist.- Darbhanga. Petitioner
Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar Karan, Advocate
For the Opposite Party/s : Mr.Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Although, the opposite party no. 2 has appeared through
Vakalatnama and the name of learned counsel is appearing on the
Cause List, but no one appears on behalf of opposite party no. 2.

Petitioner in the present case is seeking anticipatory
bail in connection with Kusheshwar Asthan P. S. Case No. 294 of
2018 registered for the offences punishable under Sections 420
and 406/34 of the Indian Penal Code.

Learned counsel for the petitioner has drawn the
attention of this Court towards the statement made in the
supplementary affidavit wherein it is stated that due to some
mistake of the Bank entries made in the account of the self help
group were not duly carried out in the new system. It is further
stated that now the mistakes have been rectified by the Bank and
after fresh calculations only meager amount found outstanding in



the account of the self help group which has already been deposited and the Bank has issued No Dues Certificate.

In the given facts and circumstances of the case, considering the statements made in supplementary affidavit, let in the event of his arrest or surrender within a period of four weeks from today, the petitioner abovenamed be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 294 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

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(Rajeev Ranjan Prasad, J)

