

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51880 of 2018

Arising Out of PS. Case No.-220 Year-2015 Thana- MAKHDUMPUR District- Jehanabad

Ashok Kumar @ Ashok Yadav Son of Laldeo Yadav, Resident of Village-
Makarpur, P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner

Versus

1. State Of Bihar
2. The Branch Manager, Madhya Bihar Gramin Bank, Makhdumpur, District-
Jehanabad.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Umesh Kumar, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 11-02-2019 By order dated 01.11.2018, the petitioner expressed his willingness to refund the loan amount to the bank within two months but he could not deposit.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner apprehends his arrest for the offences alleged under Sections 406 and 420/34 of the Indian Penal Code registered in connection with Makhdumpur P.S. Case No. 220 of 2015.

4. It is submitted that the petitioner has been falsely implicated and in any event, the petitioner undertakes to refund the loan amount to the Bank within a further period of 15 days hereof.

5. 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 provisional 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, Jehanabad in



connection with Makhdumpur P.S. Case No. 220 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions –

(i) That the provisional bail granted to the petitioner shall be confirmed if the petitioner makes refund the amount of loan to the Bank within a period 15 days, failing which his bail bond shall automatically stand cancelled.

(ii) That one of the bailors shall be a close relative of the petitioner.

(iii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iv) 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.

(v) 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/Chandran

(Vikash Jain, J)

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