

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61332 of 2018**

Arising Out of PS. Case No.-390 Year-2017 Thana- GANDHIMAIDAN District- Patna

Ram Lagan Rai S/o Bhagirath Rai, Resident of Village- Dhagjari (Mahua),  
P.S. Biraul, District- Darbhanga.

... .. Petitioner

Versus

1. The State Of Bihar
2. Subhrajeet Chakraborty, S/o Late Sudhindra Nath Chakraborty, Assistant Regional Manager (Conductor), Bihar State Road Transport Corporation, Banipur, Patna Road No. 4/A Quarter No. 4/C, Gardanibagh, Patna- 1.

... .. Opposite Parties

**Appearance :**

|                    |   |                                |
|--------------------|---|--------------------------------|
| For the Petitioner | : | Mr. Pankaj Kumar Das, Advocate |
| For the State      | : | APP                            |

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      20-02-2019                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 409, 201, 120B/34 of the Indian Penal Code registered in connection with Gandhi Maidan P.S. Case No. 390 of 2017.

3. It is submitted that the petitioner has been falsely implicated as the accusation of defalcation of a sum of Rs. 2,596/- of the Bihar State Road Transport Corporation is against co-accused Raj Kumar Prasad, who has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 12.12.2018 passed in Cr. Misc. No. 46569 of 2018.

4. Learned APP opposes the anticipatory bail petition.

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 bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



Sub Judge-VI-cum-Additional Chief Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No. 390 of 2017, subject to the conditions as laid down under Section 438 (2) 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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