

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63022 of 2018

Arising Out of PS. Case No.-20187 Year-2016 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

Janardan Kushwaha S/o Late Ramkishun Kushwaha @ Ram Kushum Kushwaha @ Ram Krishna Bhagat Resident of Village- Bairiya Tola Mehiya, P.S.-Kateya, Dist.-Gopalganj Bihar.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Kanhaiya Kumar Kushwaha, S/o Shri Ram Kushwaha, Resident of Village- Bairiya Tola Mehiya, P.S.-Kateya, District-Gopalganj Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Mishra
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 21-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420/468 IPC registered in connection with Complaint Case No. 20187 of 2016.

3. It is submitted that the petitioner has been falsely implicated and except bald averments, there is no material to show that the petitioner had received any money from the complainant or witnesses. The appointment letters said to have been issued, if at all, were at the instance of M/s System Tech, which have provided admit card and other documents signed by one Manish Kumar and not by the petitioner who claims clean antecedents.

4. Learned counsel for the complainant appears and has been heard. No objective material has been produced to indicate that the complainant or witnesses had paid any money to the petitioner.

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 ACJM XV, Gopalganj, in connection with Complaint Case No. 20187 of 2016, 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 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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