

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63522 of 2018**

Arising Out of PS. Case No.-110 Year-2017 Thana- COMPLAINT CASE
District- Araria

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Dilip Kumar Yadav Son of Late Modilal Yadav, Resident of Village-
Kanharia, Police Station- Dagrua, District- Purnea.

... .. Petitioner

Versus

1. State Of Bihar
2. Md. Shahjad Alam, Son of Late Anwarul Haque, resident of Village-
Bagdahra, Police Station- Jokihat, District- Araria.

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Mukesh Kumar Rana, Advocate.
For the Opposite Party No. 2:	:	None
For the State	:	APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 28-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 417, 406 of the Indian Penal Code
registered in connection with Complaint Case No. 110C of 2017.

3. It is submitted that the petitioner has been falsely
implicated and the petitioner was only an agent of the Prayag
Group of Companies and he was not responsible for making
payment to the beneficiaries nor any agreement in this regard
has been brought on record as alleged by the complainant. The
petitioner claims clean antecedents.

4. Despite valid service of notice the opposite party no.
2 has neither entered appearance nor he represented when the
matter is called today.

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 Sri Ashish Ranjan, learned Judicial Magistrate 1st Class, Araria in connection with Complaint Case No. 110C of 2017, 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) 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.

(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.

(Vikash Jain, J)

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