

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45842 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- KHAJANCHI HAT District- Purnia

PRITESH KUMAR Son of Late Ashok Singh Resident of Mohalla-Gayatri
Nagar, near Kali Flour Mill, P.S.-K.Hat, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 30-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 457, 468, 471, 420 and 406 of the Indian Penal Code registered in connection with K. Hat (Madhubani) P.S. Case No. 207 of 2019.

3. It is submitted that the petitioner has been falsely implicated and he has not committed any offence as alleged rather the agreement between the parties clearly stated the nature of land to be 'khasmahal'. In any event it is submitted that the petitioner undertakes to make payment of an amount of Rs. 3,00,000/- to the informant subject to final result of the trial. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard. Learned counsel for the informant states that he has no objection to the stand of the petitioner at the present time.

5. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof 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 CJM, Purnea in connection with K. Hat (Madhubani) P.S.Case



No. 207 of 2019 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 co-operate 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.

(v) That the petitioner shall make payment of Rs. 3,00,000/- to the informant within a period of four weeks after furnishing bail bonds, which shall abide by the final result of the trial.

6. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon payment of Rs. 3,00,000/- to the informant within the stipulated time, failing which his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

Chandran/-

U		T	
---	--	---	--

