

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59056 of 2019

Arising Out of PS. Case No.-433 Year-19 Thana- SIWAN CITY District- Siwan

MUNTAZIR HUSSAIN Son of Itaja Hussain @ Saiyed Hazi Itaja Hussain
Resident of Village - Aashinagar, P.S.- Siwan, Distt - Siwan. Permanent
resident of Ka Bangra, P.S- Barharia, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406/379 of the Indian Penal Code registered in connection with Siwan Town P.S. Case No. 433/2019.

3. It is submitted that the petitioner has been falsely implicated and the dispute between the parties is essentially a one relating to business as they are partners of the firm namely, Honey Agency. The dispute is merely with regard to accounting and the present FIR has been lodged only to put pressure upon the petitioner. There is delay in institution of the FIR on 18.07.2019 for the alleged occurrence which took place between 01.07.2019 and 07.07.2019. The petitioner claims clean antecedents.

4. 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 CJM, Siwan, in connection with Siwan Town P.S. Case No. 433/2019, 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. 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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