

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59163 of 2019

Arising Out of PS. Case No.-18 Year-2016 Thana- BRAHMPUR District- Buxar

RAM LAL YADAV S/o Madhuban Yadav R/o Village- Pandey Dera
(Chakki), P.S.- Brahampur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Srivastava
Mr. Vijay Kumar
For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-09-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420, 419, 406/34 of the Indian Penal Code registered in connection with Barahampur P.S. Case No. 18 of 2016/G.R. No. 289/2016.

3. It is submitted that the petitioner has been falsely implicated on the accusation that money was paid by the informant to the accused persons for procuring job for his brother but, neither job was provided nor money was refunded. The cheque for Rs. 60,000/- issued by co-accused Kushal Kishore was dishonoured owing to insufficient balance in the account. It is submitted from the FIR that no specific role has been assigned to the petitioner nor there is any allegation that the petitioner was paid any money by the informant. At best the dispute between the parties is of civil nature. 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, Buxar in connection with Barahampur P.S. Case No. 18 of 2016/G.R. No. 289/2016, 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. 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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