

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15383 of 2018

Arising Out of PS. Case No.-2414 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Harendra Kumar Son of Late Brahamdeo Singh, Resident of Village-
Fatehpur, P.S.- Chiksaura, District- Nalanda.

... .. Petitioner

Versus

1. The State Of Bihar
2. Shailesh Kumar @ Karu, Son of Hari Mahto, Resident of Village- Sanre, P.S.-
Ven, District- Nalanda at present Old Jakkanpur, P.S.- Jakkanpur, District-
Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. S. N. Choudhary, Mr. Lovekush Kumar, Advocates
For the State	:	APP
For Opposite Party No.2 :	:	None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

7 11-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 406 of the Indian Penal Code registered in
connection with Complaint Case No. 2414 (C) of 2016.

3. It is submitted that the petitioner has been falsely
implicated and in retaliation of legal notice for refund of money
issued to the complainant-informant at the instance of the petitioner
which was served upon him on 27.07.2016, the instant complaint has
been filed on 01.08.2016. It is submitted that the parties are related to
each other and the dispute is purely of civil nature.

4. Despite service of notice upon opposite party no. 2,
none appears on his behalf when the matter is called.

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 Smt. Sangeeta Rani, learned Sub-Judge XIV-cum-Additional Chief Judicial Magistrate, Patna in connection with Complaint Case No. 2414 (C) of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with 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 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.

(iv) 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.

BT/Chandran

(Vikash Jain, J)

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