

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72477 of 2018**

Arising Out of PS. Case No.-188 Year-2018 Thana- MUFFASIL District-
West Champaran

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Vikash Kumar Sharma Son of Sri Gajadhar Sharma, Resident of Village-
Sansaraiya, P.S.-Bettiah Muffasil, District-West Champaran.

... .. Petitioner

Versus

1. The State Of Bihar
2. Amit Kumar, S/o Sri Tarababu Sahu, R/o Village- Sansaraiya P.S. Bettiah
Muffasil, District- West Champaran.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.
For the O.P. No. 2 : None
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 07-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420, 406/34 of the Indian Penal Code
registered in connection with Bettiah Muffasil P.S. Case No. 188 of
2018.

3. It is submitted that the petitioner has been falsely
implicated and there is no material to support the claim of the
informant that any money was paid to the petitioner nor that an
agreement had been entered into between them. It is submitted
that in any event the dispute at best may be of civil nature. The
petitioner claims clean antecedents.

4. Despite appearance having been entered into on
behalf of the opposite party no. 2 pursuant to service of notice,
none appears to represent the opposite party no. 2 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 learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Muffasil P.S. Case No. 188 of 2018, 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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