

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66748 of 2018

Arising Out of PS. Case No.-818 Year-2017 Thana- KANKARBAG District- Patna

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Randhir Kumar @ Chhotu Son of Late Tun Tun Prasad, Resident of Ashok Nagar Rd. No. 14, P.S. Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Indu Devi, w/o. Late Shree Niwas Tiwary, r/o.East Ashok Nagar, Road No. 14/C. Kankarbagh, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Kant Mishra
For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 420 IPC and Section 138 of the N.I. Act registered in connection with Kankarbagh P.S. Case No. 818 of 2017.

3. It is submitted that the petitioner has been falsely implicated in a transaction which is out and out in the nature of civil dispute relating to failure to refund the loan said to have been advanced to the petitioner and co-accused Ranjan Kumar. There is inordinate delay in instituting the FIR on 20.10.2017 for the alleged occurrence of the year 2016. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the OP No. 2 oppose the anticipatory bail petition.

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 Mrs. Madhvi Singh, learned J.M. Ist Class, Patna or successor Court, in



connection with Kankarbagh P.S. Case No. 818 of 2017, 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)

Chandran/-

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