

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3614 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- BARSOI District- Katihar

USHA DEVI, Wife of Bhola Mahaldar, Resident of Village - Dhachna, P.S. -
Barsoi, Distt. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Chandra Patel, Advocate
For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 23-09-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR, rather FIR named accused Md. Emran was allowed bail by a Coordinate Bench of this Court in Cr. Misc. No. 4596 of 2020 on condition that he would refund entire amount of Rs.13,59,000/- to the informant through bank draft. Said Md. Emran has already refunded the same through bank draft and the petitioner has brought the copy of the bank draft through supplementary affidavit.



Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Barsoi Police Station Case No. 40 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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