

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8375 of 2020

Arising Out of PS. Case No.-770 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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Bhola Yadav Son of Parmeshwar Yadav Resident of Village - Gadha, P.S.-
Deodha, Dist.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. South Bihar Power Distribution Company, Ltd. Muzaffarpur. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Madhurendra Kumar
For the Opposite Party/s :	Mr.Parmeshwar Mehta
For the Company :	Dr. Anand Kumar Ojha

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-03-2020 Heard learned Counsel for the petitioner, learned Counsel
representing the informant Company and the learned APP for the
State.

Petitioner apprehends arrest in Motihari Town PS Case
No. 770 of 2019 registered under Sections 420, 467, 468 and 471
IPC.

The prosecution alleges that the petitioner obtained
contractual engagement as Button Pat Chalak on the basis of a forged
document allegedly issued by ITI Hajipur.

Counsel for the petitioner submits that he has already
suffered termination of his contractual employment and that the
certificate issued to the petitioner is valid and genuine. He has denied
and disputed the prosecution case and submitted that having no
criminal antecedent petitioner is further threatened with arrest in the
instant case.

Learned APP and the Counsel for the company have
opposed the prayer.



Considering the rival submissions this Court is inclined to accept the submission on behalf of the petitioner. The prayer is allowed.

In the event of arrest or surrender before the court below within four weeks from today, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM East Champaran at Motihari in Motihari Town PS Case No. 770 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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