

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75489 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- PARAIYA District- Gaya

INDRADEO PRASAD S/o Bisheshwar Mahto R/o village and Post- Khanatu,
P.S.- Tikari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 06-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, 409 of the Indian Penal Code registered in connection with Paraiya P.S. Case No. 129 of 2019.

3. It is submitted that the petitioner has been falsely implicated in connection with defalcation of Rs. 2,08,434/- allotted for construction of school building for the financial year 2010-11 in 3 SACR. In any event the petitioner undertakes to deposit the amount of Rs. 2,08,434/- in four equal monthly instalments. The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender within four weeks hereof let the above named petitioner be released on provisional bail on furnishing bail bond of Rs.10,000/- [ten thousand] with two sureties of like amount each to the satisfaction of learned ACJM III, Gaya, in connection with Paraiya P.S. Case No. 129 of 2019. 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.

(v) The petitioner shall make payment of the entire amount of Rs. 2,08,434/- in four equal monthly instalments. The first such instalment will be deposited by the end of this month.

5. The provisional bail granted to the petitioner shall be confirmed upon payment of the entire amount of Rs. 2,08,434/- within the stipulated time, failing which his bail bond shall stand automatically cancelled by the learned Court concerned.

(Vikash Jain, J)

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