

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 79175 of 2019**

Arising Out of PS. Case No.-33 Year-1998 Thana- MURAR District- Buxar

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BABAN PASWAN Son of Hiralal Dushadh Resident of Chaugain, P.S.-
Murar, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 13-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Murar Police Station (for
brevity, *PS*) Case No 33 of 1998 instituted for the offence
punishable under Section (s) 406, 420 of Indian Penal Code.

Petitioner is in judicial custody since 10.09.2019. It is
submitted that he has no criminal antecedent. First information
report alleges that in respect of an advance amount of Rs
42,500/- given for completing the brick soling for road, the
petitioner has done work to the extent of only Rs 7,954/-. On
such allegations made by the informant Block Development
Officer, Chaugae, petitioner is in custody. It is further
submitted that no offence is made out as the measurement



revealed that entire work has been completed by the petitioner and this fact has also come in the course of investigation.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VI, Buxar in connection with Murar PS Case No 33 of 1998 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 and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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