

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80495 of 2019

Arising Out of PS. Case No.-377 Year-2016 Thana- BARAUNI District- Begusarai

=====

JITENDRA MAHTON @ JITENDRA KUMAR MAHTON Son of Sahdev
Mahton Resident of Village- Parna, Neemachandpura, P.S-Neemachandpura,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Adv.

For the Opposite Party/s : Mr.Satyavrat Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Barauni (Refinery) P. S.**
Case No. 377 of 2016 instituted for the offence under
Section(s) 406,420,467, 468 and 471 of the Indian Penal Code.

The First Information report is based on an invoice dated
17.8.2016. The allegation is that on such invoice the petitioner
being driver of the informant did not take delivery of oil from



the Barauni refinery. The First Information report has been lodged on 20.10.2016, on disclosure regarding non lifting of oil from the refinery received on 22.09.2016.

It is submitted by the petitioner's counsel that in view of the aforesaid facts the prosecution case is highly doubtful. The inordinate delay in lodging the First Information report formed the basis of grant of anticipatory bail to the co-accused in Cr. Misc. no. 12601 of 2018. The petitioner, however, was arrested and is in custody since 25.09.2019. It is also stated in the petition that the petitioner has no criminal antecedents.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate Begusarai**, in connection with **Barauni (Refinery) P. S. Case No. 377 of 2016**, 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)

shyambihari/-

U		T	
---	--	---	--

