

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53955 of 2023

Arising Out of PS. Case No.-43 Year-2018 Thana- PIRI BAZAR District- Lakhisarai

MUKUND MURARI son of LATE DAMODAR SINGH RESIDENT OF
VILLAGE SAIDPURA PS SURYAGARHA DISTRICT LAKIHISARAI
BIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE BRANCH MANAGER, STATE BANK OF INDIA, PIRI BAZAR
BRANCH, DISTT- LAKHISARAI BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mithlesh Prasad Singh, Adv.
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar, APP
For the Bank	:	Mr. Rakesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-09-2023 1. Heard learned counsel for the petitioner, learned
counsel for the Bank and learned Additional Public Prosecutor for the
State.

2. Petitioner, who is in custody since 25.04.2023 seeks
bail, in connection with Piri Bazar P.S. Case No.43/2018, dated
02.05.2018, for the offences punishable under Sections 419, 420,
409, 467, 468, 471 of the IPC.

3. According to prosecution case, the Branch Manager of
Piri Bazar gave advanced loan of Rs. 14 lakh to the petitioner in the
year 2015-16 for purchasing harvester and the petitioner produced
registration number of Harvester to the bank, which was found to be
forged after verification. It is further alleged that the petitioner has
deposited only Rs. 285000/- in account although he has to deposit



Rs. 800000/- and the due amount of Rs. 15,73,279/- still not paid by the petitioner to the Bank.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Learned counsel for the petitioner out-rightly submits that the petitioner is ready to deposit the principal amount along with up-to-date interest to the Bank. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.04.2023.

5. Learned Additional Public Prosecutor for the State has no objection in this regard.

6. Considering the aforesaid facts and circumstances, 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 learned S.D.J.M., Lakhisarai, in connection with Piri Bazar P.S. Case No.43/2018, subject to the following conditions:-

1. The petitioner shall pay the principal amount along with up-to-date interest to the Bank within a period of one year in 12 equal installments and the equal installments shall be started from the month of October, 2023 and if the petitioner fails to pay any installment to the Bank, the Bank shall be at liberty to file a petition for cancellation of bail.

2. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

3. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

4. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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