

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66813 of 2023

Arising Out of PS. Case No.-109 Year-2017 Thana- ARWAL District- Jehanabad

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1. Mahendra Bind S/O Chathu Bind R/O Village- Muradpur Hujara, P.S and Distt.- Arwal.
 2. Golden Khan S/O Jalil Khan R/O Village- Muradpur Hujara, P.S and Distt.- Arwal.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Madhya Bihar Gramin Bank, Baidrabad, Arwal, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
		Mr. Rishi Raj Raman, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No.2, Advocate
For the Bank	:	Mr. Ranjeet Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 29-02-2024 Heard learned counsel for the petitioners, learned counsel for the Bank and learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Arwal P.S. Case No. 109 of 2017, lodged on 05.06.2017, under Sections 409/420 of the I.P.C.

3. As per the prosecution, there is allegation against the petitioners that they along with other accused persons have obtained loan by providing forge LPC.

4. Learned counsel for the Madhya Bihar Gramin



Bank (now Dakshin Bihar Gramin Bank) submits that vide order dated 25.01.2024 counsel for the petitioner seeks time to file supplementary affidavit in respect of depositing the money as alleged against the petitioners.

5. Today counsel for the petitioners submits that he is not in a position to pay the entire money but ready to pay the loan amount prior to releasing on bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, **upon depositing rupees fifty thousand each (loan amount) before the Madhya Bihar Gramin Bank (now Dakshin Bihar Gramin Bank), Baidrabad, Arwal, and upon deposit of proof in the bank the petitioners are directed to provide the same before the trial Court and trial Court upon verification of the said deposit shall release them on bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Arwal, in connection with Arwal P.S. Case No.109/2017, subject to the following conditions:**

(i) One of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;



(ii) The petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) The petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. It is made clear that the right of bank to realize interest amount shall be intact.

(Dr. Anshuman, J)

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