

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55306 of 2017

Arising Out of PS.Case No. -450 Year- 2017 Thana -KOTWALI District- PATNA

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1. Indradeo Prasad son of Late Amrit Mahto, resident of Village- Maira,
P.S.- Katrisarai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kotwali P.S.
Case No. 450 of 2017 for offences punishable under Sections 417,
418, 419, 420-B of the Indian Penal Code.

The prosecution case, as lodged by the Section Officer,
Bihar School Examination Board (Senior Secondary), Bihar,
Patna, is that he received information from the parents of one
examinee Priti that one Suman Singh made a telephone call and
demanded Rs. 20,000/- to be deposited in his Bank account in the
State Bank of India for release of result of Board examination.
Thereafter, the police machinery was set in motion.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the First Information Report but only during investigation and on the confessional statement of one co-accused Nitish Kumar before the police, which has no evidentiary value in the eye of law, he has been made accused. He submits that charge-sheet has already been submitted and petitioner is languishing in judicial custody since 12.09.2017. He further submits that some of the co-accused persons, named by the co-accused, have been granted pre-arrest bail by coordinate Bench of this Court.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have clean antecedent and as many as two cases of similar nature, are pending against him. He submits that during investigation and on search of the house of the petitioner, some incriminating articles have been recovered.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No. 450 of 2017, subject to the following conditions :



- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
- (iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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