

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13791 of 2020

Arising Out of PS. Case No.-293 Year-2019 Thana- RAJGIR District- Nalanda

Vivek Kumar @ Karu, aged about 34 years, gender- Male, son of Umesh Prasad, resident of village- Nahub, P.S.- Rajgir, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-06-2020 Heard Mr. Anil Kumar No. 1, learned counsel for the petitioner and Mr. Nawal Kishore Prasad, learned counsel appearing for the State through video conferencing.

The petitioner seeks regular bail in connection with Rajgir P.S. Case No. 293 of 2019 registered for the offence punishable under Section 420, 406, 467, 468, 471, 120(B) of the Indian Penal Code, 1860.

The allegation against the petitioner as per the First Information Report is that the informant purchased a piece of land from one Rekha Sinha. Subsequently, the informant got a phone call from one Ram Nandan Prasad that the lady who has sold the land to the informant namely, Rekha Sinha is not his wife and also told that one Vivek Kumar @ Karu (i.e. petitioner), who was working under the said Ram Nandan



Prasad had taken photo copy of land document and used the same along with Rekha Sinha for the sale of his land to the informant and other persons. On such information received from the Ram Nandan Prasad, the present F.I.R. has been lodged.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch the petitioner is neither a party to the agreement for sale or to the sale deed. Learned counsel further submits that his name has transpired on the basis of phone call made by Ram Nandan Prasad that the petitioner has taken the photo copy of the land document of Ram Nandan Prasad and sold some of the lands through a fake person namely, Rekha Sinha. Learned counsel further submits that the co-accused Priya Ranjan Kumar @ Manas Prakash and Kanindra Kumar have been granted bail by this court vide Cr. Misc. No. 85036 of 2019 & Cr. Misc. No. 83200 of 2019. Learned counsel further submits that petitioner is in custody since 03.12.2019.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner is in custody since 03.12.2019 and co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Rajgir P.S. Case No. 293 of 2019 on 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 in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

praful/-

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

