

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16227 of 2021**

Arising Out of PS. Case No.-727 Year-2020 Thana- SAHARSA District- Saharsa

GAUTAM KUMAR PATEL Son of Ramanand Patel Residebnt of Mohalla-
Gangjala, Ward No.19, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Saharsa Sadar P.S. Case No. 727/2020

registered for the offences punishable under Section 406 and

420 of the Indian Penal Code.

As per prosecution story, the informant alleged that

two years back the petitioner had fled away after taking two

lakhs rupees from him on promise to get a loan sanction within

seven days, the informant tried to pressurize the petitioner for

repayment then he returned Rs. 28000/- to the informant. It is



alleged that petitioner has cheated the informant by taking money on the promise of getting loan.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner is in custody since 29.09.2020. Learned counsel submits that petitioner has got one case on his head in which he is on bail.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, the nature of transactions as alleged and that the petitioner is said to be in custody in connection with the present case since 29.09.2020, investigation against him is complete but the trial is not likely to be concluded in near future, in the only case against him as stated in paragraph '3' he is said to be on bail, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No. 727/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

