

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27510 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Pintu Ray @ Pintu Roy @ Kapildeo Ray, S/o Moti Ray, Resident of Village-
Narsandi, P.S.-Shambhuganj, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Pravina Kumari, Adv.
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 19-01-2021 Heard learned counsel for the petitioner and Mr. Ram
Naresh Ray, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail
in connection with Kotwali (Jogsar) P.S. Case No.107/2020
registered for the offences punishable under Sections 406, 420 and
120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
Learned counsel submits that the owner of the firm/land is the co-
accused Kumar Prabhakar @ Prabhakar Kumar @ Prabhakar Singh
and it has come in course of investigation that the informant had
contacted the said Kumar Prabhakar and his wife for registration of
the land and they had threatened the informant. It is submitted that so
far as this petitioner is concerned, he is said to be an employee who



was working as a cashier in the said firm and he had not made any promise to the informant.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the informant has himself alleged that the owner of the firm/land is the co-accused Kumar Prabhakar @ Prabhakar Kumar @ Prabhakar Singh and in course of investigation also it has come in the further statement of the informant that he had contacted the said Kumar Prabhakar and his wife for registration of the land and they had threatened the informant, so far as this petitioner is concerned, he is said to be an employee who was working as a cashier in the said firm, he is an employee in the firm and there being no allegation that he had made any promise to the informant, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Kotwali (Jogsar) P.S. Case No.107/2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the 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;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

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)

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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'.

