

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23620 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- RAJEPUR District- East Champaran

JITENDRA KUMAR RAJ @ JITENDRA RAM Son of Charitra Ram @
Chalitra Ram Resident of Village - Tetariya, P.S.- Rajepur, Dist.- East
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 12-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest
bail in connection with Rajepur P.S. Case No. 112/2019 registered
for the offences punishable under Sections 406, 420 and 120B/34
of the Indian Penal Code.

Learned counsel for the petitioner submits that as per
the first information report one Rahul Kumar and his two
associates called the ladies from different villages to deposit Rs.
3110/- by each lady. On the assurance of the accused persons
several ladies had deposited money in the office situated in the
house of one Manoj Kumar Chaurasia and Rahul Kumar had
issued receipt in the name of a finance company to the ladies.
When the ladies asked about the genuineness of the company and
went there, the company was locked and none was present there.



The accused persons grabbed the money from several ladies, thereafter the present case has been lodged.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and has falsely been implicated in this case. Learned counsel submits that petitioner has not taken money from anyone and he was not a guarantor for the money and that the petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the only allegation which has come against the petitioner is that he had assured the alleged members that the people who are looking the office in the premises of the co-accused Chaurasia are genuine people and their amount would be guaranteed, there is no other allegation and it is not alleged that this petitioner had received any amount and otherwise petitioner has got no criminal antecedent, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Rajepur P.S. Case No. 112/2019, G.R. No. 6272/2019, be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, 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)

Rajeev/-

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

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'.

