

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45606 of 2021

Arising Out of PS. Case No.-128 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

RAJA CHOUDHARY Son of Late Chote Lal Choudhary Resident of Village -
Ishakchaq pasi Tola, Mirjanhat Road, P.S.- Ishakchak, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Ishakchak P.S. Case No. 128 of 2020 registered for the offence under Sections 504, 506, 406, 420, 467, 468/34 of the Indian Penal Code.

The petitioner is said to have realized the amount of Rs. 40,23,000/-, which is stated to be the consideration amount for a piece of land, from the informant and refused to execute the land in favour of wife of the informant.

Learned counsel for parties fairly submit before



this Court that the parties have settled their dispute outside the Court during the pendency of this application as the land in question on which the entire F.I.R. relies on has been executed in favour of the informant. Therefore, nothing remains in this case which warrants prosecution of this petitioner any more in the present case.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is rotting in judicial custody since 18.10.2020, hence, he may be enlarge on bail.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Class, Bhagalpur in connection with Ishakchak P.S. Case No. 128 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled



by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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