

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7395 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- WARISLIGANJ District- Nawada

CHANDAN CHAUDHARY Son of Kailu Chaudhary @ Shrawan Chaudhary
Resident of Village - Paingree, P.s.- Warisaliganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-06-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Sections 419, 420/34 of the Indian Penal Code and sections 66B, 66D of the I. T. Act.

Allegedly, this petitioner and accused persons duped several persons of their money by persuading them to take loan on cheap interest rate and in pursuance of the same several persons deposited their earned money.

The main submissions advanced by the learned counsel for the petitioner are that petitioner has got no criminal antecedent and two co-accused Prashant Kumar @ Tunna and Kundan Kumar from whose possession some incriminating articles were recovered as



per seizure attached to the FIR have been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 50102 of 2021 and from possession of this petitioner, no incriminating article was recovered and he spent nine months behind the bar and charge sheet has been submitted.

Learned APP opposes the prayer for bail.

In view of above submissions, case of the petitioner is on better footing with above mentioned co-accused who have been granted bail by a coordinate bench of this court and also considering petitioner's clean antecedent at para 3 of the petition and stage of the case, in my view, a lenient approach may be taken in respect of the petitioner. Let the 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 the Addl. Chief Judicial Magistrate II, Nawada in Warisaliganj P.S Case No. 224 of 2021 on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.



(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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