

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21169 of 2022

Arising Out of PS. Case No.-307 Year-2019 Thana- BALIYA District- Begusarai

Parsidh Jha @ Prasadha Jha @ Paridhi Jha Son Of Late Jagdish Jha Resident
of Village - Lakhminiya, P.S.- Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-07-2022 Let the defects, if any, be removed within four
weeks from today.

At the very outset, learned counsel for the
petitioner submits that on account of inadvertence, error has
occurred and he seeks permission to make necessary
correction in the affidavit as per information given in the
Adhar Card within course of the day.

Heard Mr. Binod Kumar, learned counsel for the
petitioner as well as learned Additional Public Prosecutor
for the State.

Petitioner seeks bail in a case registered in
connection with Balia P.S Case no. 307 of 2019 for the
offences punishable under Sections 406, 420, 467, 468,



120B, 471/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits that considering the nature of allegation that the petitioner is said to be one of the witness to this sale deed, he was granted anticipatory bail vide order dated 13.07.2020 in Cr. Misc. No. 17626 of 2020, subject to the condition that petitioner has to deposit Rs. 50,000/- in cash. It is submitted that the petitioner on account of paucity of fund could not deposit the said amount and later on he was arrested in connection with one another case and he was remanded in the present case and now he is in custody since 06.10.2021. It is also submitted that the persons who execute the sale deed had already been granted bail by this Court and this petitioner is a poor person was not in a position to deposit the amount as directed by the Hon'ble Court.

On the other hand, learned counsel for the State opposed the bail application and submits that the petitioner was granted anticipatory bail but the same has not been availed by this petitioner.

Having heard the rival contentions of the parties



and taking into consideration the fact that the petitioner is in custody since 06.10.2021 and the only allegation against this petitioner is that he was one of the witnesses of the sale deed in question, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Begusarai in connection with Balia P.S. Case No. 307 of 2019 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J)

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