

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24969 of 2022

Arising Out of PS. Case No.-48 Year-2016 Thana- NOKHA District- Rohtas

Krishna Mohan Giri Son Of Mahendra Giri R/O Village- Baraicha, P.O.-
Padariya, P.S.- Baghaila, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar
	:	Mr. Kuber Pathak
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 30-11-2022 Heard Ld. counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Nokha
P. S. Case No. 48 of 2016 dated 13.02.2016 arising from
Complaint Case No. 557 of 2015, for the offences
punishable under Sections 406, 420 and 34 of the Indian
Penal Code.

The prosecution case as emerging from the FIR is
that on 16.04.2020, the informant Anita Devi opened an
account in SBI, Grahak Seva Kendra, Baraon and deposited
Rs. 1,000/- and thereafter, on another date, she deposited
Rs. 40,000/- in the said account and when after expiry of 6-



7 months, the said amount was not credited in her account, she went to the bank where she found the bank locked and Manager and other staffs were also not present there.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that other co-accused person has already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 04.04.2022 passed in Cr. Misc. No. 61990 of 2021.

The petitioner has been languishing in jail since 25.06.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in five more cases.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on



bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Court of ACJM-V, Sasaram/concerned Court in connection with Nokha P.S. Case No. 48 of 2016 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting



satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

Learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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