

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26518 of 2022

Arising Out of PS. Case No.-301 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

RITESH KUMAR JHA S/O MUNMUN JHA Resident of Jairampur, P.S.-
Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uttam Kumar S/o Nityanand Sharma R/o village- Ganoul, P.O.- Narayanpur,
P.S.- Bihpur, District- Bhagalpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.
For the Opposite Party/s : Mr. Anita Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-11-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as well as learned counsel for the

informant.

The petitioner apprehends his arrest in a case
registered for the offence under Sections 149, 420, 120(b),
467, 468, 472, 452, 323, 379 and 149 of the Indian Penal
Code.

On the false pretext of extending appointment in
the Railway, the petitioner has grabbed his money to the
tune of Rs.1500000/-.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He



further submits that the parties have settled their dispute outside the court on the consideration amount of Rs. 5,00000/- (five lakh) and the petitioner is ready and undertake to pay the amount, as agreed between the parties, in four equal installments of Rs. 100000/- (One Lakh) within four months to the complainant and the petitioner also undertakes to pay Rs. 100000/- (One Lakh) at the time of furnishing of bail bonds. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned counsel for the informant has submitted that the informant has no objection if his entire amount in question is paid by the petitioner.

Considering the facts and circumstances of the case and taking note of the undertaking of the petitioner, let the, above named, petitioner in the event of arrest of surrender before the court below within a period of four weeks from the date of order 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 Court below where the case is pending in connection with Complaint Case No. 301 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also 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.

(3) The petitioner shall pay each and every installment, as undertaken by him, in the first week of the each month in favour of the complainant.

(4) The petitioner shall also pay Rs. 1,00,000/- (One lakh rupees) to the complainant at the time of furnishing bail bond by way of a demand draft in favour of complainant and the learned court below shall verify the receipt of payment before acceptance of the bail bonds.

(3) 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.

Needless to say that if any of the installments as undertaken by the petitioner, fails or the petitioner fails to act upon in terms of his undertakings in any manner, the bail bonds of the petitioner shall automatically stands canceled.

(Rajesh Kumar Verma, J)

brajesh/-

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

