

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31838 of 2022

Arising Out of PS. Case No.-52 Year-2017 Thana- KUTUMBA District- Aurangabad

Dhirendra Kumar Dwiwedi Son of Late Jailal Dwiwedi Resident of Village -
Pauthi, P.S. Mufassil, District - Hazaribag(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420, 467,
468 and 471 of the Indian Penal Code.

According to prosecution case, Yogendra Prasad has
taken loan in the name of the informant and withdrawn the same
from the bank on the basis of forged and fabricated document.

Learned counsel for the petitioner on instruction
submits that the petitioner is ready to return Rs. 45,000/- which
is claimed to have cheated by the petitioner and other co-



accused persons. He further submits that he is ready to pay the aforesaid amount in two equal installments at this stage.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the 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 the learned Court below where the case is pending in connection with Kutumba P.S. Case No. 52 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

1. The petitioner shall pay Rs. 22,500/- at the time of furnishing bail bond by way of demand draft in favour of the informant in the Court below and rest Rs. 22,500/- shall be deposited by 7th January, 2023 by way of demand draft in the name of the informant and submit the receiving to the Court concerned. If the petitioner shall fail to do the second installment, the Court below shall cancel the bail bond of the petitioner.



2. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

3. 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.

4. 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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