

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32854 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- BARBIGHA District- Sheikhpura

AMIT KUMAR Son of Sreekant Mahto @ Shivkant Prasad Resident of
Village - Ghosavari, Ward no.04, P.s.- Ghosavari, Distt.- Patna, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2022 Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under Sections 406, 409, 420,
467, 468, 471/34 of the Indian Penal Code, in connection with
Barbigha (Keoti O.P.) P.S. Case No.27 of 2022.

As per the prosecution story, the allegation is that the
accused persons transferred the amount in the name of a dead
person and was then withdrawn from time to time. Accordingly,
on the basis of direction of the Collector, the Programme
Officer, DRDA, Sheikhpura lodged the FIR.

Learned counsel for the petitioner submits that he has
no role to play in the said case, inasmuch as, on his request, the
‘Grahak Sewa Kendra’ was allotted to his friend Manish Kumar



and further allegation is against accused Sonu Kumar that he had withdrawn the alleged money. He lastly submits that the petitioner is in custody since 13.4.2022 and which has wrongly been stated as 13.4.2021 (in para-1 of the bail application).

Per contra, Mr. Jitendra Kumar Singh, learned APP submits that as per the Sessions Judge order, he has committed some forgery in the accounts of the customers as also confessed his involvement.

Be that as it may, considering the facts as incorporated above as also the fact that he is in custody since 13.4.2022 and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail after framing of the charges.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, in connection with Barbigha (Keoti O.P.) P.S. Case No.27 of 2022 subject to the following conditions:

- (i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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

