

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45461 of 2021

Arising Out of PS. Case No.-153 Year-2019 Thana- BAHERA District- Darbhanga

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PRADEEP KUMAR DAS Son of Phool Chand Das @ fulachand Das
Resident of Village - Simratri, P.S.- Madhupur, Dist.- Deoghar (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Bahera P.S. Case No. 153/ 2019 registered for the offences punishable under Sections 406/ 420 of the IPC.

As per prosecution case, on 02.04.2019 a call was made to informant's mobile saying that your bank account is going to be closed. It is further alleged that by playing fraud Rs. 91,025/- has been taken away from the bank account of the informant.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that in fact Aadhar Card of the petitioner was lost while the petitioner was travelling from Madhupur to Deoghar. He further submits that signature of petitioner was not found on the application form by which sim card no. 7361067588 was issued. He further submits that police after investigation submitted charge sheet against the petitioner and petitioner is in custody since 29.04.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-1, Benipur, Darbhanga in connection with Bahera P.S. Case No. 153/ 2019 , subject to 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 absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled 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. 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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