

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50829 of 2021

Arising Out of PS. Case No.-857 Year-2018 Thana- KHAGARIA District- Khagaria

1. RAJA RAM SHARMA Son of Mahavir Sharma
2. Dargahi Sharma Son of Late Lelhu Sharma
Both Resident of village - Soraidih (Sauraidih) P.S.- Muffasil, District -
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 30-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 406,419,420,467,468/34 of the Indian Penal Code.

The prosecution case, in short, is that the informant Branch Manager, Jahagir Branch, UBI has filed written application before SHO Gangaur P.S. alleging therein that he has filed a list of altogether 65 beneficiaries who have got loan



from the Bank by showing their wrong LPC (Land Possession Certificate) and requested to lodge the FIR against these beneficiaries for committing cheating with Bank.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that as per allegation the petitioner and other co-accused persons have got loan from the Union Bank of India by showing their wrong land possession certificate. Learned counsel for the petitioners submits that in fact the petitioners are named in the FIR but they never got the loan from the Bank in question. He further submits that it appears from the account balance of the bank statement of the petitioners that they never took the loan from the Bank. Petitioners are in custody since 27.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khagaria (Ghangour)Police Station Case No.857 of 2018,



with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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