

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47533 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- RAHUI District- Nalanda

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Pappu Kumar S/O Shri Ramchandra Prasad Yadav Resident of village-
Bandchak, P.S.- Narahat, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dhananjay Kumar S/O Rambilas Prasad Resident of village- Tuphanganj,
P.S.- Rahui (Bhagan Bigaha), District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-11-2022 Heard learned counsel for the petitioner and learned
counsel for the informant and learned A.P.P. 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 406 and
420 of the Indian Penal Code.

According to the prosecution case, the petitioner
has taken money from Dhananjay Kumar but when he asked for
the same, the petitioner had not returned the money to him.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. He outrightly submits that he is ready to return Rs. 45,000/- to the informant.

The learned counsel for the informant on the other hand is ready to except the offer made by the counsel for 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 Rahui (Bhagan Bigha) P.S. Case No. 227 of 2022, 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 hand over a demand draft of sum of Rs. 45,000/- drawn in favour of the informant to him at the time of furnishing the bail bond.

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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