

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48616 of 2022

Arising Out of PS. Case No.-547 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

Amrendra Kumar Prasad @ Amrendra Singh S/o Ganesh Prasad Resident of
Village- Hathisar, P.S.- Madhaurah, District- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2022 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 342, 419 and 420 of the Indian Penal Code

As per prosecution case, the allegation against the petitioner is of committing cheating and fraud by taking money of Rs. 14,000/- for providing a job in the Agriculture Department.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the



present case. He further submits that in fact the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has returned the amount in question to the informant and the informant gave an application to the S.H.O., Chapra (Muffasil) stating therein that he has already received an amount of Rs. 14,000/- and requested that he does not want to pursue the present case.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chapra (Muffasil) P.S. Case No. 547 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 witness, 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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