

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48875 of 2022

Arising Out of PS. Case No.-123 Year-2021 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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1. Arun Kumar S/o Late Ram Sevak Singh R/V- Madarpur, P.S- Gangabridge, Hajipur, Dist- Vaishali
 2. Krishan Kumar @ Rahul Kumar Son of Late Chandrashekhar Singh R/V- Madarpur, P.S- Gangabridge, Hajipur, Dist- Vaishali
 3. Kanhaiya Kumar @ Golu Kumar Son of Late Chandrashekhar Singh R/V- Madarpur, P.S- Gangabridge, Hajipur, Dist- Vaishali
 4. Subodh Kumar Singh Son of Late Parshuram Singh R/V- Kashipur Chakbibi, P.S- Rajapakar, Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Shankar Rai Son of Late Jailal Rai R/V- Madarpur, P.S- Gangabridge, Hajipur, Dist- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Sinha, Advocate
For the State	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Dharmesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2022 Learned counsel for the petitioners 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 petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 420, 406 of the Indian Penal Code.



As per prosecution case, in short, in brief is that on the assurance of accused persons the complainant's mother Jagtarni Devi had deposited Rs. 50,000/- as fixed deposit in Janhit Sahyog Samiti and on completion of six years she will receive Rs. 1,00,000/-. After the complainant's mother death, nominee, the complainant went to the office of Janhit Sahyog Samiti, the accused persons assured that Rs. 1,00,000/- will be returned to him on 10.01.2021. When on 10.01.2021 the complainant went to the office of the said Samity and demanded his money, all the accuse persons abused and used filthy language and refused to return the money.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they has been falsely implicated in the present case. Learned counsel for the petitioners out rightly submits that the petitioners are ready to pay Rs. 50,000/- to the complainant.

Learned counsel for the informant has no objection in this regard.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Complaint Case No. 123 of 2021, Trial No. 3206 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) The petitioners shall deposit a demand draft of Rs. 50,000/- in favour of the complainant and handed over to him at the time of furnishing bail bond.

(2) 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.

(3) If the petitioners tamper with the evidence or the witness, 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 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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