

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61893 of 2021**

Arising Out of PS. Case No.-44 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

VINOD KUMAR SHUKLA Son of Late Revati Mohan Shukla R/o village -
Jardiha Road Near Middle School Bluachak, Baijani, P.S. - Jagdishpur,
District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 08-04-2022 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.

A supplementary affidavit has been filed on behalf of
the petitioner, which is kept on record.

Heard learned counsel for the petitioner and learned
APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 379, 354B, 420,
467, 506, 34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant's
husband had given Rs. Nine Lacs to the petitioner for purchase
of a piece of land later on he refused to execute the land in
favour of the husband of the informant and on asking of his



money when informant and her husband went to the house of petitioner for their money they abused, brutally assaulted and humiliated by the petitioner and his family members and snatched wrist watch of the husband of the informant alongwith cash of Rs. 10,000/- from the pocket of the husband of the informant.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the petitioner has already paid the disputed amount Rs.Five Lacs to the informant by way of RTGS on 30.04.2021 and Rs. Four Lacs by way of Demand Draft in favour of the informant on 03.11.2021. He further submits that the informant has received the same. Petitioner is in custody since 27.05.2021.

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

Considering the aforesaid facts, 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 learned Court below where the case is pending in connection with Jagdishpur Police Station Case No.44 of 2021 **subject to the condition that before releasing**



the petitioner the learned court below shall verify that whether the aforesaid disputed amount has been paid to the informant or not and further with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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