

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.53092 of 2022**

Arising Out of PS. Case No.-531 Year-2022 Thana- MUFFASIL District- West Champaran

SATYENDRA PANDEY S/O LATE PARSHURAM PANDEY Resident of
Village Kairatiya, P.S. Manuapool, District West Champaran

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Adya Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-12-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by the Stamp Reporter by
16.01.2023.

Heard learned counsel for the petitioner, learned
counsel for the informant and Mr.Ajit Kumar, learned APP for
the State.

The petitioner in this case is seeking regular bail in
connection with Bettiah (Muffasil) Manuapool P.S. Case No.
531 of 2022 registered for the offence punishable under Sections
406, 420, 467, 468, 472/34 of the Indian Penal Code. He has no
criminal antecedent and is in custody since 04.07.2022.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant being the police officer got
a secret information that in the house of the petitioner some



outsiders of criminal nature have arrived and they are indulged in doubling of notes and are also involved in sale and purchase of duplicate gold coins. The informant raided the house of the petitioner and apprehended the petitioner and one another.

Learned counsel submits that the petitioner is innocent and has not committed any offence. It is further submitted that on secret information, the police officer has registered the FIR himself. It is stated that there is no individual who has complained against the petitioner and a complaint case against the police officer being Complaint Case no. 2066 of 2018 has been filed by the petitioner in which the trial is going on and only to pressurize him for the said case the police has once again lodged police case against him.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it has transpired that on the basis of a so called secret information, the police officer has registered the FIR himself, there is no individual who has complained against him and the petitioner has shown to this Court that he has filed a complaint case against the police officer being Complaint Case no. 1066-C of 2018 in which the trial is going on and only to



pressurize him in the said case, the police has once again lodged a false case against him, the petitioner has remained in custody since 04.07.2022, in the cases registered against him the petitioner is on bail, there being no submission on behalf of the State that release of the petitioner at this stage is likely to result in tempering with the evidence or interfering with the course of trial or that his presence can not be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bettiah (West Champaran) in connection with Bettiah (Muffasil) Manuapool P.S. Case No. 531 of 2022 subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

The application is allowed.



Certified copy of this order shall be made available
only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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