

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70094 of 2021**

Arising Out of PS. Case No.-341 Year-2021 Thana- CIVIL LINE District- Gaya

Prince Kumar Son of Atul Shankar Sharma Resident of Village - Ward No.4,  
Areraj, P.s.- Areraj, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Zainul Abedin, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

5      01-08-2022                      Heard learned counsel for the petitioner and the  
  
State.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The petitioner is in custody in connection with  
Civil Line P.S. Case No. 341 of 2021 under sections 406 and  
420 of the Indian Penal Code.

The allegation in the FIR is that in the garb of  
granting loan, the petitioner collected Rs. 10, 000/- each from  
the informant and her family members totalling Rs. 40,000/- as  
from the beginning his intention was to cheat the informant and  
her family members. There was no question of getting the loan.  
Accordingly, the FIR was lodged and he was taken into judicial  
custody on 26.8.2021 (as stated in para-15 of the bail



application).

Counsel for the petitioner at the outset submits that without accepting the allegation made in the FIR, the petitioner is ready to pay Rs. 40,000/- to the persons who alleges to have provided the aforesaid amount namely the informant Shakuntala Devi and her two sisters Rinki Devi and Kunti Devi as also sister-in-law Sunita Devi.

Taking into account the aforesaid fact that the petitioner is in custody since 26.8.2021 and charge-sheet stands submitted with further facts that he does not have criminal antecedent, this Court is inclined to grant him the privilege of bail subject to the undertaking given by the petitioner in this case.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Civil Line P.S. Case No. 341 of 2021 subject to the payment of Rs. 10,000/- each to Kunti Devi, Rinki Devi, Shakuntala Devi and Sunita Devi(named in the FIR) through a bank draft issued by the State Bank of India, local branch.

The Trial court shall see to it that the drafts are



handed over to the genuine persons after verifying their respective documents issued by the government(like Aadhar/Voter I.D. etc.)

The bail is granted with the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

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