

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70229 of 2021

Arising Out of PS. Case No.-397 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

Shatrudhan Sahani Son Of Fakira Sahani Yadav Resident Of Mohalla-
Ramhamganj, P.S. Laheriasarai, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-06-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by the office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Shyam Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Laheriasarai P.S. Case No. 397 of 2018 registered for the offences punishable under Sections 420, 467, 468, 471, 406, 409, 34 of the Indian Penal Code. He is in custody in the present case since 01.10.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, this petitioner made several persons to apply for agricultural gold loan. However, on valuation of ornaments by some other jeweller, it was found that the petitioner has got falsely certified fake gold ornaments as pure and misappropriated the loan amount of the bank.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that several co-accused has already been granted privilege of anticipatory bail. The petitioner has remained in custody since 01.10.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission on behalf of the petitioner that the petitioner is ready to deposit the entire amount of Rs.3,53,156/- within two months in equal monthly installments from the date of his release from jail and further considering that the petitioner has remained in custody in connection with this case since 01.10.2021 and some of the co-accused similarly situated have been granted privilege of anticipatory bail as they deposited the dues amount and submitted No Dues Certificate from the bank, 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 Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 397 of 2018, 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.

And further condition that within two months from the date of release of the petitioner, he shall deposit the loan amount of Rs.3,53,156/- with the bank and proof thereof shall be produced in the learned court below.

If such amount is offered, the bank will accept the same without prejudice to the bank and receipt thereof shall be issued to the petitioner.

On failure of the petitioner to abide by this condition, the learned court below shall take appropriate steps for cancellation of bail bond of the petitioner.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: the ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during pandemic period all concerned shall act on the basis of the copy of the order uploaded on the high court website under the heading 'judicial orders passed during the pandemic period'.

