

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1418 of 2022**

Arising Out of PS. Case No.-207 Year-2020 Thana- DURAULI District- Siwan

CHHOTELAL GUPTA Son of Chandeshwar Prasad Resident of Village -
Paigambarpur, P.S. - Baniapur, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Nikesh, Adv

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

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

2 13-05-2022 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.

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 offence punishable under Sections 409,420,120(B) of the IPC.

Earlier the prayer for bail of the petitioner was rejected vide order dated 07.09.2021 in Cr. Misc. No.14288 of 2021 with observation that the petitioner may renew his prayer for bail after framing of the charges or after completion of six months of custody from the date of disposal of the case.

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 in fact the charge has already been framed on 08.03.2021 itself and due to miscommunication, learned counsel for the petitioner could not inform the Court. He further submits that similarly situated co-accused persons have already been granted bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexures-3 and 4 to the bail petition and the petitioner is in custody since 22.10.2020.

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 Darauli P.S. Case No.207 of 2020, 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)

Nitesh/-

U		T	
---	--	---	--

