

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3685 of 2023

Arising Out of PS. Case No.-193 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

NITESH KUMAR SINGH @ NITESH KUMAR S/O RAM MURTI SINGH
Resident of Village- Kapurchak, P.O.- Gopalpur, P.S.- Naya Ganj, District-
Saran (Chapra).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Laheriasarai P.S. Case No. 193 of 2022 dated 02.05.2022
registered for the offence under Sections 406, 420, 467 and 468
of the Indian Penal Code.

The petitioner is alleged to have fraudulently collected
money to the tune of RS. 82,669/- from the customers.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner has not collected any amount on behalf of the
company or in fake account as alleged after his resignation on
28.02.2022, therefore, the entire allegation is false and



concocted.

Learned counsel for the petitioner, however, outrightly submits that the petitioner is ready and undertake to deposit the amount in question before the court below subject to outcome of the trial. The petitioner is rotting in judicial custody since 13.08.2022.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 193 of 2022 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 canceled 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.

(3) The petitioner shall deposit the amount in question, which is to the tune of Rs.82,669/-, before the court



below where the court deems it fit and proper. Nonetheless, the amount in question shall be subject to the outcome of the trial. It is also made clear that the bail bonds of the petitioner shall only be accepted by the court below after deposit of the amount in question, as undertaken by the petitioner.

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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