

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5468 of 2023

Arising Out of PS. Case No.-1378 Year-2022 Thana- NAWADA District- Nawada

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Pramod Singh @ Pramod Kumar @ Tuntun Singh Son of Late Kameshwar Singh But the Police has remanded him as Tuntun Singh @ Pramod Singh , R/O Mohalla- New Area Nawada, P.S and Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Sr. Advocate
Mrs. Vaishnavi Singh, ADvocate

For the State : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 11.11.2022 , in connection with Nawada Town P.S. Case No. 1378 of 2022, F.I.R. dated 10.11.2022 registered for the offences punishable under Section 306 of the Indian Penal Code and Sections 33/34 of the Bihar Money Lenders Act, 1974.

Allegation against the petitioner is that he along with co-accused persons started demanding money as they have given loan to the father of Sakshi Kumari and the father of Sakshi Kumari paid huge amount but demanding more interest on the loan given, as a result of which he was disturbed and was not taking meal accordingly. It is further alleged that the F.I.R. named accused for realization of the loan amount had tortured his



brother and family members and being fed up six persons including the father of Sakshi Kumar, all have committed suicide.

Learned Senior counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the statement of the daughter of the victim namely Sakshi Kumari was taken in which she had stated that the father of the Sakshi Kumari had consumed poison on the ground that the her father had taken loan on the eve of marriage of her sister and huge amount was already returned but demanding excess interest and due to this reason the victim has committed suicide himself. Learned counsel for the petitioner further submits that no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 11.11.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 1378 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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