

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3863 of 2023

Arising Out of PS. Case No.-178 Year-2022 Thana- NAUBATPUR District- Patna

RAJNEET THAKUR Son of Late Rameshwar Thakur Resident of Village-
Hathsar, P.S.- Vikram, District- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 18.05.2022 in connection with Naubatpur P.S. Case No. 178 of 2022, F.I.R. dated 24.03.2022 registered for the offence punishable under Sections 406,420,467,468,471,34 of IPC.

As per the prosecution story, the informant alleged that co-accused-Upendra Kumar @ Ranjan had established a 'Lok Sewa Samiti Trust' near Naubatpur with the promise that if Rs. 5,000/- is donated he/she will be given Rs. 2,000/- per month from the trust and accordingly, they invested the amount but no such promise was fulfilled. Accordingly, the present FIR was lodged.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has



falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Petitioner is the Secretary of the Trust in question and it appears from the FIR that co-accused-Upendra Kumar @ Ranjan has taken the money from the person as mentioned in the FIR. Further submits that in pursuance to the order dated 17.01.2023 passed in Cr. Misc. No.52714 of 2022, co-accused-Upendra Kumar @ Ranjan has deposited the amount in question in favour of the informant and other witnesses through demand draft issued by the State Bank of India, local Branch.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, amount in question has already returned by the co-accused-Upendra Kumar @ Ranjan, the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.05.2022, 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 A.C.J.M.-III, Danapur, Patna in connection with



Naubatpur P.S. Case No. 178 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 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.

(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 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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