

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17325 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- RAJAPAKAR District- Vaishali

Deepak Kumar Son Of Sunil Kumar Ray R/O Village- Pachai Jagdish, P.S.-
Rajapakar, District- Vaishali, (WRONGLY Mentioned In The Fir To Be
Resident Of Village- Balkunthpur)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Swarup Kumar Son Of Late Shyam Sundar Dhala R/O 6a, Middleton Street,
3rd Floor, Kolkata, 700071

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari, Advocate
For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-05-2023 Heard the parties.

The petitioner is apprehending arrest in connection with Rajapakar P.S. Case No. 383 of 2022 under sections 420 of the Indian Penal Code lodged on 02.11.2022 by the informant Swarup Kumar.

The prosecution story, in brief, is that the petitioner manufactured a fake insurance document and he is found to have been indulged in the fraudulent acts namely, fraud, forgery, misappropriation and cheating causing an estimated loss to the Insurance Company to the tune of Rs. 9947/-. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that



without verifying the details, he has been implicated in this case and with a view of settle the matter, he would be submitting a Demand Draft of Rs. 10,000/- issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of the concerned Court to be handed over to the informant after checking the credential in the name of the Company to whom the informant represents.

Learned APP opposes the prayer.

Considering the aforesaid stand taken by the petitioner as also he do not have criminal antecedent, this Court is inclined to extend him the privilege of bail subject to submission of a Demand Draft of Rs. 10,000/-.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Vaishali at Hajipur, in connection with Rajapakar P.S. Case No. 383 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. alongwith other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

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