

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33281 of 2023

Arising Out of PS. Case No.-514 Year-2022 Thana- PATLIPUTRA District- Patna

CHANDAN KUMAR Son of SURENDRA KUMAR SHARMA Resident of
Village- Anandpur, PS- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Srivastava, Adv.

Mr.Sarandha Suman, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Patliputra
P.S. Case No. 514 of 2022 registered for the offence under
Sections 406, 420 and 467 of the Indian Penal Code.

The petitioner is alleged to have committed fraud with
the informant and misappropriated the consideration amount
which was paid to him against a piece of land.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. She further submits that the petitioner happens to be
one of the witness to the first agreement to sell which was
executed between the informant and other co-accused persons.
She further submits that the petitioner has not taken even a



single penny from the informant nor any chit of paper with regard to transaction of money between the petitioner and the informant has been produced. She further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 14.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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 A.C.J.M.-X, Patna in connection with Patliputra P.S. Case No. 514 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.

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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