

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34505 of 2023

Arising Out of PS. Case No.-349 Year-2022 Thana- PUNAURA District- Sitamarhi

Kartik Atwal Son Of Somnath Atwal Resident Of House No.1704/2, Mohalla
Fatehgarh, Ward No.33, Distt-Ludhiana, Panjab

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 30.11.2022 in connection with Punaura P.S. Case No. 349 of 2022, F.I.R. dated 20.11.2022 for the offences punishable under Sections 406, 420, 467, 468, 471 and 427/34 of the Indian Penal Code.

3. According to prosecution case, in brief, is that on 20.11.2022 at 8:00 A.M. in the morning outside informant's school premises, the mead of students suddenly started creating rucks. When we came out after being pushed at the gate, we came to know that these people had made my school family an examination center without any knowledge. After taking to the students it came to know that Kartik Atwal was extorting money in the name of examination due to which there was rucks



Banashankar informed the police. Therefore, Mr. man is requested to take appropriate legal action keeping in view the above points.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that bare perusal of F.I.R. as well as seizure list that nothing incriminating article has been recovered from the conscious possession of the petitioner, in fact the petitioner is working in Bryne Shipping Private Ltd. and the petitioner has no concern at all with the examination in question and Director is main culprit in the present occurrence. He further submits that except the examination materials no other cogent materials has recovered from the possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 30.11.2022.

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

6. Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Sitamarhi in connection with Punaura P.S. Case No. 349 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 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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