

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45751 of 2023**

Arising Out of PS. Case No.-20 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

=====

Mithilesh Pandey @ Mithilesh Kumar Pandey, Son of Jagdish Pandey @ Jagdeesh Pandey, Resident of village- Balipur, P.S.- Bhagwanpur, District- Kaimur (Bhabua)

... .. Petitioner

Versus

1. The State of Bihar
2. Suraj Kumar, S/O Narsingh Singh, R/O Village- Parwalpur, P.S. Bhagwanpur, Dist. Kaimur (Bhabua).

... .. Opposite Parties

=====

Appearance :

For the Petitioner	:	Mr. Dheeraj Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in this case is seeking pre-arrest bail in connection with Bhagwanpur P.S. Case No. 20 of 2023 registered for the offence punishable under Sections 420, 467, 468 of the Indian Penal Code. He has one criminal antecedent.

3. As per the prosecution story, the petitioner was working in Mines and Transport Department. The informant of this case paid Rs.1,13,500/- to the petitioner as fine to release the tractor and submitted the aforesaid paper of fine to Officer-in-Charge but the said paper was found forged and the informant was sent to jail. When the informed was released on bail, he went to the village of the petitioner on 05.09.2022 and asked the

petitioner to return the money which the petitioner refused.

4. Learned counsel for the petitioner submits that for the same and one allegation contained in Dehri (M) P.S. Case No. 93 of 2022, the petitioner has been granted privilege of anticipatory bail vide order dated 14.03.2023 passed in Cr. 55036 of 2022.

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

6. Having regard to the facts and circumstances of the case, the submission that for the same and one allegation contained in Dehri (M) P.S. Case No. 93 of 2022 registered for the offences under Sections 420, 467, 468, 471/34 of the Indian Penal Code, the petitioner has been granted privilege of anticipatory bail vide order dated 14.03.2023 passed in Cr. 55036 of 2022 and the present case has been filed by the co-accused of the said case after his release on bail, the petitioner has otherwise no criminal antecedent save and except the one case as stated in paragraph '3' of the application, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be released on bail in connection with Bhagwanpur P.S. Case No. 20 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees

Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Kaimur at Bhabua, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

lekhi/-

U		T	
---	--	---	--