

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45610 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- GRIYAK District- Nalanda

CHANDAN KUMAR son of Mahesh Kandu @ Mahesh Sao @ Biltu Sao
Village- Maira Ps- Katarisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-08-2023 Heard the learned Counsel for the petitioners and
Mr. Syed Ehteshamuddin who represent the State.

The petitioner apprehends his arrest in connection with Giriyak/Katarisarai P.S. Case No. 47 of 2023 for the offence punishable under Sections 419, 420, 467, 468, 471 of the IPC and Section 66 (c)/ 66 (d) of the I.T. Act lodged on 25.01.2023 by the informant Kamlesh Kumar Singh.

As per the prosecution story, the police got information that accused persons are sitting near a school with an intention to cheat, reached the place, intercepted and arrested one person, Vikash Kumar and recovered contact number, pan card and approval letter of Reliance Finance Ltd. He gave the name of the other accused persons, the petitioner amongst them.

It is the case of the petitioner that he has been



unnecessarily dragged in the case on the confession of Vikash Kumar, nothing incriminating has been recovered from this place nor it is an allegation that he has cheated one. Last submission is that he do not have criminal antecedent.

Learned APP opposes the prayer stating that from the Vikash Kumar, number of incriminating documents have been recovered and he has named.

Considering the fact that there is no cheating to anyone, no such allegation on record, his name has come on the confessional statement of Vikash Kumar, and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M.- Nalanda at Biharsharif, in connection with Giriyak/Katarisara P.S. Case No. 47 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

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



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 month till the conclusion of the trial 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)

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