

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44477 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- NASRIGANJ District- Rohtas

Raju Kumar @ Raju Paswan, S/o Late Raghunandan Ram @ Bholu Ram R/o
village - Harharganj, Ward No. 19, P.S.- Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar
For the Opposite Party/s	:	Mr. Ram Sumiran Rai
For the Informant	:	Mr. Randhir Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

7 28-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Nasriganj P. S. Case No. 189 of 2021, registered for the
offences punishable under Sections 406, 420, 467, 341,
323, 468, 471 and 34 of the Indian Penal Code.

The prosecution case as emerges from the FIR is
that the petitioner has taken Rs. 4 lakhs from the informant
on the pretext of providing him Government job. Allegation
of threat is also there.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that there is no documentary proof to show that the informant has made any payment direct in the account of the petitioner. He further submits that investigation in this case is complete and charge-sheet has already been submitted. He also submits that the petitioner has clean antecedent and he has already remained in custody for about five months. He further submits that the petitioner is on provisional bail.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed** and the provisional bail granted to the petitioner *vide* order 26.11.2022 is hereby confirmed, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that



investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

The petitioner shall remain on the same bail-bonds.

Ld. counsel for the petitioner is directed to remove



all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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