

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47691 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- CHHAURADANO District- East
Champaran

=====

RAMESH THAKUR SON OF RAMAI THAKUR RESIDENT OF
VILLAGE- JUAHER, PS- CHAURADANO, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Chauradano P.S. Case No. 126 of 2023 registered for the offence
under Sections 406, 467, 419, 42 and 34 of the Indian Penal Code.

The petitioner is alleged to have withdrawn Rs.
30,00000/- from the account of the informant fraudulently.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that on bare perusal of the F.I.R., it
appears that the petitioner has not committed any offence as
alleged in the F.I.R. He further submits that the petitioner has
confessed that on the persuasion of one Raj Kishore Thakur who
happens to be uncle of the petitioner, he has indulged in the



alleged occurrence. He further submits that the petitioner has not withdrawn the alleged amount from the account of the informant and he has no concern at all with the alleged affairs of Raj Kumar Thakur. He further submits that the petitioner has not been a beneficiary of the amount in question and the petitioner simply happens to be a barber of the locality and he has not committed any fraudulent withdrawal from the account of the informant. He 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 08.05.2023.

Learned A.P.P. for the State on the other hand vehemently opposed the prayer for bail of the petitioner and submits that it has come during course of investigation especially in paragraph Nos. 4, 8, 9 and 15 of the case diary that the petitioner has been involved in the crime in question. He further submits that the petitioner has also confessed his guilt before the police which could be evident from paragraph-15 of the case diary. Apart from 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 Judicial Magistrate-1st Class, East Champaran in connection with



Chauradano P.S. Case No. 126 of 2023 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)

brajesh/-

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

