

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47527 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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SUVEEN KUMAR @ SUBIN KUMAR S/O SRI SATYENDRA PRASAD
@ SHAILENDRA PRASAD R/O Village- Panchi, P.S- Shekhopur Sarai,
Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023 Heard Mr. Rajendra Prasad, learned Senior Counsel
for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Shekhopur Sarai P.S. Case No. 136 of 2022 for the offence registered under sections 419, 420, 467, 468, 471, 406, 120(B) and 34 of the Indian Penal Code lodged on 17.08.2022 by the informant, Pramod Kumar.

As per the prosecution story, the police upon confidential information that some young persons have assembled for cheating the innocent people by offering them job, raided the place and apprehended some of them. Those who were apprehended gave the name of other persons, who



managed to escape, the petitioner being one of them. Accordingly, the FIR.

It is the contention of the learned Counsel for the petitioner that there is no complaint from anyone and only on the apprehension that the people who are assembled are there to cheat the innocent people offering them job, the arrest.

Further, in his case he was not even present on the spot and on the basis of the names given by the accused persons, implicated. The last submission is that he do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that as per the FIR, they were there to cheat the people.

Considering the submissions put forward by the learned Senior Counsel as also the fact the petitioner was not present at the place of occurrence, as per the prosecution, the accused persons have named him alongwith others who escaped, he do not have criminal antecedent and will ultimately face the trial, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 136 of 2022 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 for next one year to mark 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 the bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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