

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52878 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- SHAHKUND District- Bhagalpur

BAJRANGI KUMAR SINGH S/O PINTU SINGH R/O VILLAGE-
KATHAUN, PS. SHAHKUND (SAJOUR), DIST. BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is in judicial custody in connection with Shahkund (Sajour) P.S. Case No. 29 of 2023 registered under Sections 406, 420, 504 and 506/34 of the Indian Penal Code lodged on 19.01.2023 by the informant, Argit Saswat.

As per the allegation, on the pretext of providing custom auctioned Fortuner Car, the accused persons got transferred 9,98,000/- from the informant. No such custom auction took place nor car delivered. Feeling cheated, the FIR.

It is the contention of the learned counsel for the



petitioner that the allegation is/are against him as also against Suresh Pramanik and Suraj Kumar Singh. So far as he is concerned, the allegation is of making payment of Rs. 3,85,000/-. He is ready to return the said amount but the prayer is that the installment be made so that he could pay the same.

Learned APP for the State opposes the prayer for bail stating that they duped the informant of Rs. 9,80,000/- on the pretext of providing custom auctioned Fortuner Car.

Considering the fact that an FIR is on record, the petitioner is facing the trial, is in custody since 03.06.2023 (as stated in paragraph 10 of the petition), he has no criminal antecedent and is ready to pay the amount to the informant though in installment, this Court is inclined to grant him privilege of bail subject to payment of Rs. 3,85,000/- in the following manner:

- (i) Rs. 1 lakh at the time of executing bail bond.
- (ii) Rs. 75, 000/- by the 10th of October
- (iii) Rs. 70, 000/- each by 10th of November 2023, December 2023 and January 2024.

Let the petitioner be released on 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 ACJM- VIII, Bhagalpur in connection with Shahkund (Sajour) P.S. Case No. 29 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months 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 his 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;

(vi) in case of failure of payment as undertaken above, the informant shall be free to take steps for the cancellation of his bail bonds.

(Rajiv Roy, J)

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