

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57287 of 2022

Arising Out of PS. Case No.-296 Year-2022 Thana- GHOSI District- Jehanabad

NAND KISHORE @ SONU Son of Late Kamalnayan Sharma Resident of
Village - Sharma, P.S. Ghoshi, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Sharma, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Ghoshi P.S. Case No.296 of 2022 instituted under Sections
379,420 of the Indian Penal Code.

At the outset, learned counsel for the petitioner
submits that it is a family affair in which both the informant and
the petitioner are known to each other and to save their long
relationship without accepting the allegation he would like to
pay back the alleged amount of Rs.6,50,000/-. It is his further
submission that at the time of execution of the bail bond, he will
paying Rs.2,00,000/- and subsequently in the next nine months,
by 10th of every month, he will paying Rs.50,000/- each totalling
Rs.4,50,000/-.

Learned APP on the other hand opposes the prayer for



bail.

Taking into account the fair submission that has come on behalf of the learned counsel for the petitioner, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs.6,50,000/- as stated above and in default, the informant shall be free to take recourse to legal remedy for the cancellation of his anticipatory bail. Rs.2,00,000/- shall be deposited through Demand Draft in the name of the informant in the 'NAZARAT' of the concerned court and shall be handed over to them after checking his credentials.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Ghoshi P.S. Case No.296 of 2022 to the satisfaction of learned District and Sessions Judge, Jehanabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(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 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.

(Rajiv Roy, J)

Prakash Narayan /-

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