

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68101 of 2022**

Arising Out of PS. Case No.-316 Year-2021 Thana- MUFFASIL District- Aurangabad

AWADHESH PRASAD @ AWADHESH MEHTA Son of Jagnarayan Mahto
Resident of Village- Kushi Tola, Dhavkal Bigha, P.S.- Aurangabad (M),
District- Aurangabad(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 06-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Aurangabad (M) P.S. Case No. 316 of 2021 dated 17.12.2021
registered for the offence under Sections 420, 406, 379 and
506 of the Indian Penal Code.

According to the prosecution case, the petitioner
has grabbed Rs. 400000/- which has been paid by the
informant through cheque No. 21980182481046 in favor of
Kushwaha Bij Bhandar.

Learned counsel appearing for the petitioner out-
rightly submits that the petitioner is ready and undertake to
return the amount in question in favour of the informant.



Hence, the petitioner may be enlarged on bail.

Learned counsel for the informant does not object to learned counsel for the petitioner as he is ready to return the amount of Rs.4,00000/-to the informant.

Considering the facts and circumstances of the case and also the undertaking of the petitioner, 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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 316 of 2021 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.

(3) The petitioner shall produce a demand draft of



Rs. 4,00000/- (Four lakh rupees) to be payable in favour of the informant at the time of furnishing bail bonds on behalf of the petitioner.

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)

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