

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64685 of 2022

Arising Out of PS. Case No.-147 Year-2017 Thana- NARHATT District- Nawada

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VINAY KUMAR YADAV Son of Sita Ram Prasad Yadav Resident of Village
- Shekhabara, P.S.- Sirdala (Meskaur), District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.

For the Opposite Party/s : Mrs. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
19.08.2022 in connection with Narhat P.S. Case No. 147/2017,
F.I.R. dated 06.09.2017, for the offences punishable under
Sections 467, 468, 471, 406, 420, 506 and 34 of the Indian
Penal Code.

According to prosecution case, there is allegation
against the petitioner that on his instance, the informant gave
Rs. 3.60 lac to Akhilesh Kumar Yadav for providing a group -D
job in Railway, who sent a fake appointment letter. In this way,
neither the appointment was made nor the money of informant
was returned.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that from bare perusal of the F.I.R. it appears that the entire money has been received by co-accused Akhilesh Kumar Yadav and the petitioner has not received any money as alleged in the F.I.R. He further submits that in fact, the petitioner himself is victim of illegal deeds of Akhilesh Kumar Yadav and he has also filed Sirdala P.S. Case No. 217/2016 against co-accused Akhilesh Kumar Yadav and the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has no role in the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.08.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned J.M.1st Class, Nawada in connection with Narhat P.S. Case No. 147/2017, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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. 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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