

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73521 of 2023

Arising Out of PS. Case No.-406 Year-2022 Thana- NAGAR District- Vaishali

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Satyendra Kumar Nirala Son Of Majister Ray Akela @ Majister Ram Akela
R/O - Mithila Colony, South Of Ghurdaur Road, Tin Mohani, B.S.E.Board,
P.S.- Digha, District- Patna Petitioner/s

Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumari, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-11-2023 Heard Mr. Pankaj Kumar, learned counsel for the

petitioner and Ms. Meena Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Hajipur Sadar P.S. Case No. 406 of 2022, F.I.R. dated 25.05.2022 for the offences punishable under Sections 420, 406, 504, 506/34 of the Indian Penal Code and Section 138 of the N.I. Act.

3. According to prosecution case, the petitioner has taken the money from the informant but did not executed the sale deed in favour of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He outrightly submits that the petitioner is ready to pay the amount in question i.e. Rs. 15



lakhs to the informant and he is ready to pay Rs. 3 lakh at the time of furnishing bail bond and Rs. 12 lakh in 6 equal monthly installment.

5. The learned Additional Public Prosecutor has no objection in this regard.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 406 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall furnish a demand draft of Rs. 3,00,000/- in favour of the informant, namely, Rekha Kumari and the same shall be submitted at the time of furnishing bail bond and the rest amount shall be deposited in 6 equal monthly installments which will start from January, 2024. And the learned Court below is directed to hand over the said demand draft to the informant or her representative. In case, the



petitioner has failed to pay any installment, the informant has liberty to move before the Court below for cancellation of his bail bond.

ii. 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.

iii. 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.

iv. 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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