

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71351 of 2022

Arising Out of PS. Case No.-237 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

Neelakanth Sunagar Son Of Shrishail Sunagar @ Shrishail K. Sunagar R/O
Vill.- Girganv Plot, Mudhol, P.S.- Mudhol, Distt.- Balakot (KARNATNA)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s :	Mr. Aditya Narayan Singh.1, APP
For the Informant :	Mr. Jitendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-05-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
16.09.2022 in connection with Gopalganj Town P.S. Case No.
237 of 2020, F.I.R. dated 08.04.2020 for the offences punishable
under Sections 379 and 420 of the Indian Penal Code but police
after investigation submitted the charge sheet under Section 379
and 420 of the Indian Penal Code and Section 67(A) of the I.T.
Act against the petitioner.

According to prosecution case, Rs. 3 lakh has been



transferred from informant's husband's bank account in some other bank account fraudulently between 04.03.2020 to 29.04.2020.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is ready to pay Rs. 1,50,000/- by way of demand draft in favour of the informant. The petitioner is in custody since 16.09.2022.

The learned counsel for the informant submits that he has no objection in this regard but the payment to be made subject to the result of the case.

In view of the submissions made by the learned counsel for the petitioner, 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 Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 237 of 2020, subject to the following conditions:-

1. Petitioner shall furnish a demand draft of Rs. 1,50,000/- in favour of the informant, namely, Preeti Kumari and the same shall be deposited at the time of furnishing bail



bond and the learned Court is directed to hand over the said demand draft to the informant.

2. 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.

3. 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.

4. 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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