

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14518 of 2024

Arising Out of PS. Case No.-8643 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Md Jamil Alam Son Of Md Abul Kalam Resident Of Village - Islam Nagar
Madhopara, P.O. - Purnia, Police Station - K. Hat, District - Purnia

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manju Lata Kumari Wife Of Suman Kumar, D/O. Late Kameshwar Singh
Resident Of Village / Mohalla - Palanga, P.O. - Suiya, Police Station - Parsa
Bazar, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate
For the State : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mr. Vikram Singh, learned counsel for the

petitioner and Mr. Ajay Kumar Jha, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with C.A. Case No. 8643(c) of 2022, for the
offences punishable under Sections 420, 406 and 468 of the
Indian Penal Code.

3. According to prosecution case, petitioner is said to
have embezzled Rs.10,50,000 from the complainant on the
pretext of supplying maize seeds.

4. 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



allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offences as alleged in the complaint petition. He further submits that petitioner is ready to return Rs.4,00,000/- which he has received from the mother of the complainant.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Judicial Magistrate 1st Class, Patna in connection with Complaint Case No. 8643(c) 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 produce a demand draft of Rs.2,00,000/- (Rupees Two Lakhs) at the time of furnishing the bail bond of the petitioner in favour of the mother of the complainant and rest amount of Rs.2,00,000/- (Rupees Two Lakhs) shall be paid within a period of two months. If the



petitioner fails to return the amount within the aforesaid period then the complainant shall be at liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.

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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