

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12545 of 2024

Arising Out of PS. Case No.-1591 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Sanjeev Kumar Roy Son of Late Bindunath Roy Resident of Mohalla-
Chunapur, P.S.- K. Nagar, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Pardeep Kumar Roy Son of Late Shambhunath Rai Resident of Mohalla-
Chunapur, P.S.- K. Nagar, District- Purnea, At present residing Ambala Tola
Chunapur Basa Madhubani, P.S.- K. Hat, District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Mr. Ram Prawesh Kumar, learned counsel

for the petitioner and Mr. Sanjay Kumar Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1591 of 2022 for the
offences punishable under Sections 420, 464, 468 and 120(B) of
the Indian Penal Code.

3. According to prosecution case, one Vikash
Chandra Roy has hatched a criminal conspiracy with the
petitioner along with other and has committed fraud, got the
registration of the land of the complainant illegally in favour of
the co-accused Alok Kumar Singh due to which complainant



caused loss to the tune of Rs. 16,70,000/-.

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 from a bare perusal of the complaint petition it appears that the petitioner has not committed any offence as alleged in the complaint petition. He further submits that the petitioner is neither the seller nor the buyer of the land in question and the petitioner is only identifier of the seller and he is not the beneficiary of the present transaction. He further submits that a title suit is going on between the complainant and the accused no.1.

5. The learned Additional Public Prosecutor, on the other hand, 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 Chief Judicial Magistrate, Purnea in connection with Complaint



Case No. 1591 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 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.

ii. 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.

iii. 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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