

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16616 of 2024

Arising Out of PS. Case No.-920 Year-2023 Thana- SONEPUR District- Saran

1. Santosh Singh son of Late Ramchandra Singh Village- Gangajal Barka Bagicha, Kharika Ps- Sonepur Dist- Saran at Chapra
2. Mukesh Kumar @ Mukesh Kumar Singh son of Late Kameshwar Singh Village- Gangajal Barka Bagicha, Kharika P.S- Sonepur Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-04-2024 Heard Mr. Jeetendra Narayan, learned counsel for the petitioners and Mr. Arun Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sonepur P.S. (Harihar Nath O.P.) P.S. Case No. 920 of 2023, F.I.R. dated 29.09.2023 registered for the offences punishable under Sections 420, 467, 468, 471 read with 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they have introduced to co-accused Arun Kumar Singh (Director A.G. Homes Developer Pvt. Ltd.) with co-accused Birendra Kumar



(Vendor) and provided the documents relating to the property.

4. Learned counsel for the petitioners submits that the petitioner no. 1 carries one more case other than the present one and the petitioner no. 2 has clean antecedent and they have been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation against the petitioners rather the allegation against the petitioners is that the petitioners have introduced the co-accused Arun Kumar who is a Director A.G. Homes Developer Private Limited with co-accused Birendra Kumar (Vendor) and provided the documents relating to the land in question. He further submits that the petitioners neither received any amount from the informant nor they are the witnesses of any agreement.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners have only introduced to co-accused Arun Kumar with co-accused Birendra Kumar (Vendor) and neither they have received any amount from the informant nor they are any witness of any agreement, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Sonepur P.S. (Harihar Nath O.P.) P.S. Case No. 920 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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