

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17954 of 2024

Arising Out of PS. Case No.-144 Year-2023 Thana- SAKRA District- Muzaffarpur

Arjun Yadav Son of Late Jangbahadur Yadav Resident of vill.-Utim Kotoliya
(Navtoliya), P.S.-Sour Bazar, Distt.-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-07-2024 Heard Mrs. Rashmi Jha, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with Sakra P.S. Case No. 144 of 2023 for the offence punishable under Sections 406, 420 and 120(B) of the Indian Penal Code lodged on 17.03.2023 by the informant, Amit Kumar.

3. As per the prosecution story, the petitioner cheated the informant and took Rs. 4,58,000/- promising job in Railways. The aforesaid amount was transferred through Google Pay and allegation is that Rs. 7,40,000/- was also paid in cash, the post that the petitioner has offered was that of Ticket Checker in the Railways.

4. Though the charges against the petitioner is grave, earlier the bail application was rejected on 06.09.2023 in Cr.



Misc. No. 59268 of 2023 (Annexure-1 to the petition), a report was called for on earlier occasion and as per the letter no. 322 dated 24.05.2024, the charges have been framed and the case is presently pending for evidence.

5. Learned counsel for the petitioner submits that given a chance, he will be diligently appearing in trial without fail and further points out that he has remained in custody since 25.05.2023 (paragraph-14 to the petition).

6. Learned APP opposes the prayer submitting that allegation against him is there.

7. Taking into account the aforesaid two facts that the charges have been framed and the petitioner is in custody since 25.05.2023 (more than a year) and further undertakes to diligently appear in trial, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-12th, Muzaffarpur (East), in connection with Sakra P.S. Case No. 144 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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