

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21246 of 2024

Arising Out of PS. Case No.-857 Year-2018 Thana- KHAGARIA District- Khagaria

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SULO THAKUR S/O BRAHAMDEO THAKUR R/O VILLAGE-
TRIBHUWAN TOLA, P.S- MUFFASIL, DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khagaria (Ghangour) Police Station Case No.857 of 2018, F.I.R. dated 03.12.2018 registered for the offence punishable under Sections 406, 419, 420, 467, 468/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant Branch Manager, Jahagir Branch, UBI has filed written application before SHO Gangaur P.S. alleging therein that he has filed a list of altogether 65 beneficiaries who have got loan from the Bank by showing their wrong LPC (Land Possession Certificate) and requested to lodge the FIR against these beneficiaries for committing cheating with Bank.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner has clean antecedent and has falsely been implicated in the present case. He further submits that as per allegation the petitioner and other co-accused persons have got loan from the Union Bank of India by showing their wrong land possession certificate. Learned counsel for the petitioner outrightly submits that the petitioner is ready to pay Rs.95,000/- to the Bank.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Ghangour) Police Station Case No.857 of 2018, 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 pay Rs.25,000/- at the time of



furnishing of bail bonds and he shall produce the Bank Draft in favour of the Bank and the rest amount of Rs.70,000/- shall be paid in five equal installments within a period of six months from the date of furnishing bail bond.

(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 bonds shall be cancelled by the Court below.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory 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 antecedents, the court below shall take step for cancellation of anticipatory 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.

However, it is made clear that if the petitioner is not paid the aforesaid amount, within aforesaid period, the Bank



shall be at liberty to file an application before Court below
seeking cancellation of the anticipatory bail of the petitioner.

(Rajesh Kumar Verma, J)

Prakash Narayan

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