

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18517 of 2024**

Arising Out of PS. Case No.-172 Year-2023 Thana- BAUNSI District- Araria

Laxmi Ram S/o Fagu Ram R/o Ward No. 01, Taar Tola, Karakiya, Panchayat -  
Dhobania, P.S. - Bausni, Dist. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ambrish Rahul, Advocate  
For the State : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      02-04-2024                      Heard Mr. Ambrish Rahul, learned counsel for the  
  
petitioner and Mr. Dinesh Singh, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baunsi P.S. Case No. 172 of 2023, F.I.R. dated 16.10.2023 for the offences punishable under Sections 419, 420 and 406 of the Indian Penal Code.

3. According to prosecution case, in the garb of making the money double, the accused persons have taken their amount from the money.

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 FIR it appears that it is not clear that when



the petitioner has received the money from the aggrieved person as mentioned in the FIR and even the date of occurrence is not mentioned in the FIR and there is only bold statement that the petitioner and other co-accused persons have received the money from the villagers. He further submits that the allegation as alleged is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that similarly situated other co-accused person, namely, Bablu @ Babloo @ Md. Nazim has been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 10176 of 2024.

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

6. Considering the aforesaid facts, there is no allegation against the petitioner of receiving the money from the informant or any other person and the similarly situated other co-accused person has already been granted anticipatory bail by the Co-ordinate Bench of this Court, 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, Araria in connection with Baunsi P.S. Case No. 172 of 2023, 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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