

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21442 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- GAURICHAK District- Patna

Sonu Kumar S/o Yamuna Prasad, Resident of Ben Maheshpur, P.S. - Ben,
Dist. - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-04-2024 Heard Mr. Vibhuti Ranjan Sonvadra, the learned
counsel for the petitioner and Mr. Sanjay Kumar Singh, the
learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
24.05.2023 in connection with Gaurichak PS Case No. 302 of
2023, FIR dated 23.05.2023, registered for the offences
punishable under Sections 406, 420, 468, 504 and 506 read with
Section 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner along
with other co-accused persons cheated the informant and some
other persons under the pretext of giving employment and took
Rs. 4,00,000/- (Rupees four lakhs) each from them and later fled
away. However, the petitioner was apprehended.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case on the ground that petitioner is son of the co-accused person namely, Yamuna Prasad and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that upon perusal of the FIR, it appears that Yamuna Prasad has taken the amount in question from the informant. He lastly submits that the co-accused persons namely, Kusum Kumari and Guddu Kumar @ Guddu Patel happen to be the wife and son of the said Yamuna Prasad and both the co-accused persons have been granted the privilege of anticipatory bail by this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 7180 of 2024.

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

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent and other similarly situated co-accused persons have been granted the privilege of anticipatory bail, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Patna City, in connection with **Gaurichak PS**



Case No. 302 of 2023, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(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 trial Court 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 trial Court 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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