

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23309 of 2024

Arising Out of PS. Case No.-667 Year-2022 Thana- BAHADURPUR District- Darbhanga

Manish Kumar Choudhary SON OF LATE LAXMAN MAHTO RESIDENT
OF VILLAGE- CHAKRAHMAT BHIGO, PS- LAHERIASARAI, DIST-
DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanchan Jha, Advocate
For the Informant	:	Mr. Nilendu Kumar Choudhary, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2024 Heard Mr. Kanchan Jha, learned counsel for the petitioner, Mr. Nilendu Kumar Choudhary, learned counsel appearing on behalf of the Informant and Mr. Syed Mojibur Rahman, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Bahadurpur P.S. Case No. 667 of 2022, F.I.R. dated 26.12.2022 registered for the offences punishable under Sections 420, 379, 406 of the Indian Penal Code.

3. Allegation against the petitioner is that took money from the Informant and in return gave a cheque which eventually bounced.

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



implicated in the present case. Learned counsel for the petitioner outrightly that he is ready to pay the amount (Rs. 2,50,000/-) in question to the informant.

5. Learned counsel for the Informant has no objection in this regard.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on 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 S.D.J.M., Dharbhanga in connection with Bahadurpur P.S. Case No. 667 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(i) The petitioner shall produce a demand draft of Rs. 2,50,000/- in favour of the informant namely Prabhat Kumar before the learned Court below at the time of furnishing his bail bond and the learned Court below is directed to hand over the same to the informant or his legal representative.

(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 bond shall be cancelled by the Court below.

(iii) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of 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 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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