

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28354 of 2024

Arising Out of PS. Case No.-192 Year-2017 Thana- GOGRI District- Khagaria

Sat Narayan Jha @ Satyanarayan Jha Son of Nand Kishor Jha Revenue
Employee, Resident of village- Pinjhari, P.S.- Barbigha, Dist.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2024 Heard Mr. Vivekanand Singh, learned counsel for
the petitioner and Ms. Indu Kumari Srivastava, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gogari P.S. Case No. 192 of 2017, F.I.R. dated 24.04.2017 for the offences punishable under Sections 419, 420 and 465 of the Indian Penal Code.

3. According to prosecution case, the allegation against the petitioner is that of committing fraud by making/issuing rent receipt for the purpose of taking loan on informant's land.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner was posted



as Revenue Karamchari at the relevant time of occurrence and the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the police after investigation submitted final form in favour of the petitioner and not found the case true against the petitioner but the learned Court below in a very mechanical manner has taken cognizance vide order dated 20.04.2023 against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that without collusion of the petitioner the present occurrence cannot take place and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, 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 Sub Divisional Judicial Magistrate, Khagaria in connection with



Gogari P.S. Case No. 192 of 2017, 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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