

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26612 of 2024

Arising Out of PS. Case No.-215 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

Kishan Kumar S/O Surendra Sharma @ Surendra Kumar, R/O Village-
Chandi Asthan, P.S- Basudeopur, Distt.- Munger. At Present Bhutnath Road,
P.S- Kankarbag, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2024 Heard Mr. Brij Bihari Tiwary, the learned counsel
for the petitioner and Mr. Bhanu Pratap, the learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Ram Krishna Nagar PS Case No. 215 of 2022,
FIR dated 09.05.2022, registered for the offence punishable
under Section 406 read with Section 34 of the Indian Penal
Code.

3. According to the prosecution case, the petitioner
along with his family members tricked the informant under the
pretext of providing labour and in the process took Rs.
2,20,000/- (Rupees two lakhs and twenty thousand) from him
cumulatively under different modes.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and learned counsel for the petitioner upon instruction submits that the petitioner is ready to return Rs. 1,25,000/- (Rupees one lakh and twenty-five thousand), which he has received in his bank account.

5. The learned Additional Public Prosecutor for the State on the other hand has no objection to the aforementioned contentions made by the learned counsel for the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Judicial Magistrate-1st Class, Patna, where the case is pending in connection with **Ram Krishna Nagar PS Case No. 215 of 2022**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). The petitioner shall pay Rs. 50,000/- (Rupees fifty thousand) at the time of furnishing the bail bond by way of demand draft in favour of the informant namely, Nashir and the



learned trial Court is directed to hand over the said demand draft to the informant or his representative and the remaining amount of Rs. 75,000/- (Rupees seventy-five thousand) shall be paid in three equal installments, in the months of July, 2024, August, 2024, and September, 2024.

(ii). If the petitioner fails to pay the aforesaid dues amount to the informant, the informant shall be at liberty to move before the learned trial Court for cancellation of the bail bond of the petitioner.

(iii). 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.

(iv). 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.

(v). 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)

Shahnawaz/-

U		T	
---	--	---	--

