

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33921 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- Kinjar District- Arwal

Jaiprakash Kumar Son of Gum Singh Resident of village -Gaharpur (Gauhra)
P.S -Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijaya Laxmi Srivastawa, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 31-07-2024 Learned advocate for the petitioner seeks permission to make necessary correction in the prayer portion in course of the day.

2. Permission is accorded.

3. Heard learned Advocate for the petitioner and the learned APP for the State.

4. The petitioner seeks regular bail, who is in custody in connection with Kinjar P.S. Case No. 164 of 2023 registered for the offences punishable under Sections 406, 420 and 506/34 of the Indian Penal Code.

5. Based on the written report the prosecution alleges that the petitioner along with other women have convinced the informant and others to join their Job Training Centre and they will be paid Rs.15,000/- per month and for that purpose the



accused persons have taken Rs.50,000/- from each. After joining the job centre and completion of one month there, when the informant started demanding their salary, the petitioner abused and threatened them.

6. Learned Advocate for the petitioner contended that the petitioner is said to be Chairman of the training centre, however, he had no role in selection and appointment of the workers; rather on account of some mischievous act of Secretary, Sunaina Devi, the present FIR has been instituted against all the office bearers, including the petitioner. It is next contended that the allegation revolves around Secretary, Sunaina Devi and others who have convinced the informant to join the training centre. There is no material that any money has been paid or credited in the account of the petitioner. Moreover, the grievance of the informant and others have been redressed and the dispute has already settled outside the Court. In support of the aforesaid contention a certified copy of application containing the signature of informant and other trainees have been placed on record vide Annexure-P/2 series. It is lastly contended that now the petitioner is in incarcerated since 24.12.2023 and the charge-sheet have already been submitted.



7. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner along with others have cheated the innocent persons by extorting money. It is also contended that the petitioner bears three criminal antecedent over his head.

8. Regard being had to the submissions made on behalf of the parties and considering the application filed by the informant and others that their grievance have been settled coupled with the fact that the investigation of the crime is complete and the charge-sheet have been submitted; all the more offences are compoundable, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Arwal in connection with Kinjar P.S. Case No. 164 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.



(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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