

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33264 of 2023

Arising Out of PS. Case No.-540 Year-2022 Thana- BARH District- Patna

Niraj Kumar Son Of Arvind Kumar Resident of Village- Tharthari Dih, PS-
Tharthari, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ritesh Kumar Sinha, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

8 22-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 540 of 2022 instituted for the offence under
Sections 406, 420 & 34 of the Indian Penal Code.

3. As per prosecution case, allegation against the
petitioner is that the petitioner and his wife took the money
amounting to Rs. 1,21,08,000/- from several unemployed
persons through one Nagendra Kumar and the informant in the
name of Government job at Ahmadabad in the State of Gujarat.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-12-2022. Petitioner
bears four criminal antecedents.



5. Learned counsel for the petitioner submitted, while referring to the supplementary affidavit, that after the payment of Rs. 47,63,000/- to the informant, there is no outstanding dues against the petitioner or his wife, cannot claim any money is due against Swati Kumari because the entire payment of Rs. 47,63,000/- is being paid in six installment to the informant.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and outstanding dues to the tune of Rs. 47,63,000/- to be paid within six months, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh P.S. Case No. 540 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to



cancel the bail bonds of the petitioner.

(iii) If the petitioner will not pay aforesaid amount in installment within a period of six months, informant will have liberty to file application in the Trial Court for cancellation of the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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