

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40673 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- ARA NAGAR District- Bhojpur

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Raj Kishore Prasad SON OF LATE RAJESHWAR PRASAD @
RAJESHWAR YADAV VILLAGE- EKAWANA PS- UDWANTNAGAR,
DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 18-11-2024 Heard Mr. Yogesh Chandra Verma, learned Senior

counsel for the petitioner and Mr. Jitendra Kumar Singh, learned

APP.

2. The petitioner is in custody in connection with Ara
Town P.S. Case No. 11 of 2024 for the offence punishable under
sections 467, 468, 471 and 420 of the Indian Penal Code lodged on
06.01.2024 by the informant, Vikash Kumar.

3. As per the prosecution story, the informant who is the
Branch Manager of Bank of Maharashtra alleged that an account
was opened by the petitioner but taking into account the
transactions that were being done, the Manager became suspicious
and informed the Police after which, the account was cleared by
the petitioner. This led to the FIR.

4. Learned Senior counsel for the petitioner submits that



a perusal of the FIR would show that only on the basis of suspicion, the FIR has been lodged. It is not the case of the Branch Manager that he got any complaint and/or any irregular/illegal/financial transaction took place which led to his lodging of the FIR. The petitioner do not have any criminal antecedent and only on the basis of the suspicion of the Branch Manager, he has remained in custody since 07.01.2024 (paragraph-18 of the petition).

5. In this case, Coordinate Bench had called for the case diary and learned APP has taken this Court to the paragraph-5 of the petition which records the statement of the Bank Employee and he has parroted the same story which is there in the FIR.

6. Taking into account the aforesaid facts as also that the petitioner has already remained in custody since 07.01.2024, have no criminal antecedent, there is nothing on record to show that anyone made complaint and as undertaken by the learned Senior counsel, he shall be cooperating in the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Bhojpur at Ara, in connection with Ara Town P.S. Case No. 11 of 2024



subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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