

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40919 of 2024

Arising Out of PS. Case No.-54 Year-2022 Thana- MAHESHKHUNT District- Khagaria

Abodh Das S/O Sahdev Das R/O village-Vilvas, (Birbam). P.S. Pasraha,
District Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2024 Heard Mr. Pranav Kumar, learned counsel for the
petitioner and Mr. Anand Kishore Choudhary, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
29.03.2024, in connection with Maheshkhunt P.S. Case No. 54
of 2022, F.I.R. dated 11.03.2022 registered for the offences
punishable under Section 420 of the Indian Penal Code.

3. The prosecution case, in brief, is that in the year
2020 informant paid Rs. 4,85,000/- to accused persons for the
execution of sale deed of two katha land in his favour but the
accused Sugam Kumar neither return his money nor executed
the sale deed. It is further alleged that accused persons used to
threaten the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that from perusal of the F.I.R. it appears that the petitioner has not received any amount from the informant and the alleged amount has been received by co-accused person namely Sugam Kumar and co-accused Sugam Kumar against whom the allegation that he has received the amount in question from the informant has been granted bail by a Coordinate Bench of this Court vide order dated 18.01.2023 passed in Cr. Misc. No. 57607 of 2022. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.03.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and he is equal responsible with co-accused person and apart from that the petitioner carries one more case 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 facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with



Maheshkhunt P.S. Case No. 54 of 2022, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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