

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45011 of 2024

Arising Out of PS. Case No.-142 Year-2022 Thana- JAHANABAD District- Jehanabad

Raju Kumar @ Raju Prasad S/O Late Laxman Ram resident of Mohalla
Rajayin (Rajain), Tehta P.S. Makhdumpur District Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 29-11-2024 Heard Mr. Sanchay Srivastava, learned counsel for the
petitioner and Mr. Bhanu Pratap Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
12.03.2023, in connection with Jehanabad P.S. Case No. 142 of
2022, F.I.R. dated 03.03.2022 registered for the offences
punishable under Sections 409, 420, 467, 468, 471 and 120(B) of
the Indian Penal Code.

3. Earlier the bail petition of the petitioner was
rejected vide order dated 13.09.2023 passed in Cr. Misc. No.
42340 of 2023.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offence as alleged in the F.I.R.
He further submits that from perusal of the F.I.R. it appears that



the petitioner has no role at all to encash the bank guarantee (FDR) because the petitioner is the Cashier in the Executive Engineer, Irrigation Division, Jehanabad.

5. Learned counsel for the petitioner has produced the order dated 08.10.2024 passed in Cr. Misc. No. 70706 of 2024 by which a Coordinate Bench of this Hon'ble Court has stayed the further proceedings in connection with Jehanabad P.S. Case No. 142 of 2022 (present F.I.R.). Learned counsel for the petitioner further submits that it has come during investigation that one Tushar Goyal is the beneficiary who is the Managing Director of Konark Association and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.03.2023.

6. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as order dated 08.10.2024 passed in Cr. Misc. No. 70706 of 2024, 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, Jehanabad in connection with Jehanabad P.S. Case No. 142 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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