

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51894 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

Satish Kumar Yadav @ Sri Kant @ Sri Kant Kumar S/O Naresh Yadav R/O
Kharuara, P.S- Harnaut, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2024 Heard Mr. Rahul Kumar, learned counsel for the
petitioner and Dr. Ajeet Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
05.02.2024, in connection with Laheri P.S. Case No. 289 of
2023, FIR dated 10.05.2023 registered for the offences under
Sections 420, 406, 467, 468, 471, 120B and 34 of the Indian
Penal Code.

3. As per the prosecution case, the petitioner has
deceived the informant by taking Rs.2,00,000/- from the
informant for expense of registry.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and he has falsely been implicated in this case. He
further submits that the allegation as alleged in the FIR is false



and fabricated and the petitioner has never received any amount from the informant. He further submits that as per the allegation in the FIR, the informant had given Rs.2,00,000/- to the petitioner but informant has not stated anywhere in the FIR on which date he has given the amount to the petitioner and apart from that what was the mode of the payment. He further submits that nothing has come during the investigation except the confessional statement of the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 05.02.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif at Nalanda in connection with Laheri P.S. Case No. 289 of 2023 with the following conditions:-

(i) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

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 antecedent, 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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