

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51823 of 2023

Arising Out of PS. Case No.-244 Year-2023 Thana- DIGHA District- Patna

Arvind Singh S/O Mahendra Singh R/O Mohalla- Rajeev Nagar, Ps. Rajeev Nagar Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s	:	Mr.Syed Ehteshamuddin,APP
For the Informant	:	Mr.Arun, Advocate
	:	Ms. Maria Najir, Advocate
	:	Mr. Md. Farooq, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-08-2024 Heard Mr.Vibhuti Ranjan Sonvadra, learned counsel for the petitioner, Mr.Arun, learned counsel for the informant and Mr.Syed Ehteshamuddin, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Digha P.S.Case No.244 of 2023,FIR dated 04.04.2023 registered for the offences punishable under Sections 504,506,406,420/34 of IPC.

3. According to prosecution case, there is allegation that the petitioner in connivance with other co-accused persons embezzled huge money of the informant by way of cheating on the pretext of providing him a residential plot of



land in front of Atal Path.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that the informant has not paid the single amount to the petitioner and it appears from the FIR itself that the petitioner has annexed the chart by which he has paid the amount to the other co-accused persons, namely, Aman Kishore Singh, Vishal Kumar, Uday Kumar, Dr. Arun Kumar Singh and Pranav Kumar and co-accused person, namely, Vishal Kumar has been granted bail by this Court vide order dated 20.12.2023 passed in Cr. Misc. No.63170 of 2023.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner was instrumental in the present occurrence and apart from that, the petitioner carries two more cases other than the present one.

6. Considering the aforesaid facts and the petitioner has not received any amount from the informant, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the



date of receipt of the order, 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 A.C.J.M.- XIII, Patna in connection with Digha P.S.Case No.244 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 cancelled 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.

(III) 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/her 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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