

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57594 of 2024

Arising Out of PS. Case No.-488 Year-2021 Thana- SHASTRINAGAR District- Patna

Satyadarshi Kumar @ Sunny Son Of Sri Ajay Kumar Singh R/O Gudari
Bazar, PS-Adarsh Thana Supaul, Dist-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Choudhary, Advocate
For the State	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Bhavesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-12-2024 Heard Mr. Uday Choudhary, learned counsel for the petitioner, Mr. Bhavesh Kumar, learned counsel for the informant and Ms. Renu Kumari, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shastri Nagar P.S. Case No. 488 of 2021, F.I.R. dated 06.10.2021 for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

3. According to prosecution case, on the assurance of Pranav Kmar and Indu Devi, the informant given crops to the petitioner from 22.04.2018 to 30.04.2018, the commodities valued about Rs. 45,33,254/- on credit for eight months, but even after lapse of eight months, the payment has not been made



by the petitioner to the informant. When the informant demanded the money over the phone, the petitioner procrastinated the payment and also threatened to kill him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from a bare perusal of the FIR it appears that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and for the same set of allegation which was mentioned in the present FIR, the informant has already filed Money Suit No.10 of 2020 before the competent Court of law at Begusarai in the year, 2020 itself. He further submits that the petitioner is ready to comply the outcome of the aforesaid money suit. He further submits that co-accused persons, namely, Indu Devi @ Indu Singh and Ajay Kumar Singh, who happens to be mother and father of the petitioner, have already been granted anticipatory bail by this Court vide order dated 10.01.2024 passed in Cr. Misc. No. 81015 of 2023 and brother-in-law of the petitioner, namely, Pranav Kumar, has also been granted anticipatory bail by a co-ordinate Bench of this Hon'ble Court vide order dated 10.01.2024 passed in Cr. Misc. No. 80273 of 2023.



5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and similar situated other co-accused persons have already been granted privilege of anticipatory bail by this Court and by the co-ordinate Bench of this Court, let the petitioner, above named, in the event of 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 the learned A.C.J.M., IX, Patna in connection with Shastri Nagar P.S. Case No. 488 of 2021, 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 absence on two consecutive dates without sufficient reason, his 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 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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