

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67913 of 2024

In
CRIMINAL MISCELLANEOUS No.39513 of 2023

Arising Out of PS. Case No.-50 Year-1993 Thana- TEKARI District- Gaya

Ashok Kumar Son of Late Laldeo Yadav R/o Village- Milki, P.S.- Sikaria O.P.
Jehanabad, Distt. Jehanabad, Pin code-804454

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Advocate
		Mr. Rohit Mishra, Advocate
		Mr. Rohit Mishra, Advocate
		Mr. Nikita Mittal, Advocate
For the Opposite Party/s :		Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-10-2024 Heard learned Senior counsel for the petitioner and the State.

2. The petitioner is in custody in connection with Tekari P.S. Case No. 50 of 1993 for the offence punishable under sections 419, 420 and 120(B) of the Indian Penal Code lodged on 25.03.2023.

3. As per the prosecution story, the informant alleged that on the basis of forged bail bond, the accused persons managed to get false statement recorded under criminal conspiracy and in the process, also managed to present an impostor. Accordingly, the case was lodged.

4. The case of the petitioner is that earlier, he was granted bail but having failed to appear in trial, it got rejected. He



never came to know about it and upon knowledge, he is in custody since 10.01.2023 (para-15 of the petition).

5. Learned counsel for the petitioner submits that if granted the privilege of bail, without fail, he shall diligently be appearing in the trial failing which, the learned trial court shall be free to, once again, cancel his bail bond. The last submission is that similarly placed co-accused Arjun Prasad Yadav has been granted relief vide Cr. Misc. No. 56611 of 2023 (Annexure-4 to the petition).

6. Learned APP opposes the prayer for bail submitting that due to the fact that the petitioner chose not to diligently appear in trial, it got rejected.

7. Though there is force in the contention of the learned APP, the fact remains that earlier he was granted the privilege of bail, failed to appear in trial which led to the cancellation of bail, has remained in custody since January, 2023 and has undertaken to appear in trial without fail, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Gaya, in connection with Tekari P.S. Case No. 50 of 1993 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

