

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65427 of 2024

Arising Out of PS. Case No.-112 Year-2022 Thana- HISUWA District- Nawada

Shailendra Kr. @ Anjay Yadav @ Shailendra Kumar S/o Late Brahmdeo
Yadav R/o Village - Bhola Bigha, P.S.- Hisua, Dist. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar, Advocate
For the State	:	MrS. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Hisua P.S. Case No. 112 of 2022 for the offence under Sections 420 and 120(B) of the Indian Penal Code lodged on 02.03.2022 by the informant, Rocky Sharma.

3. As per the prosecution story, the informant alleged that this petitioner took Rs.2,50,000/- on different dates through Bank Account for providing job in the police department. As it could not have been done in any case, the informant being cheated, demanded money which was not returned. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that no one, much less the petitioner can provide a job in a government sector. He had taken a loan and wanted to return



but due to paucity of money could not return which led to this F.I.R. Further, to show his bonafide, he is ready to return the entire amount of Rs.2,50,000/- irrespective of the order in this case, in following manner:-

i. Rs.1,00,000/- initially;

ii. Rs.25,000/- subsequently for every month which will conclude in next six months;

5. Learned APP opposes the prayer submitting that he cheated the informant by luring him to provide job and took Rs.2,50,000/-.

6. Though, the allegation is there, now the petitioner is ready to pay the amount, the F.I.R. is there, will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.2,50,000/- in following manner:-

i. Rs.1,00,000/- at the time of execution of bail bond;

ii. Rs.25,000/- per month which will start in the month of November 2024 and will end in the month of April 2025;

7. Failure to make the payment in any month, the informant/State shall be free to take steps for cancellation of



his bail bond.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Nawada, in connection with Hisua P.S. Case No. 112 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with 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/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months 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/her bail bonds.

(Rajiv Roy, J)

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