

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86316 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Raman Kumar Son of Sri Ashok Sah, Resident of Village- Jiwachpur Purvi,
Ward No. 8, P.S.-Saurbazar, District- Sahrsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Mr. Jai Kishor Poddar, the learned counsel
for the petitioner and Dr. Ajeet Kumar, the learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Maheshkhunt PS Case No. 117 of 2023, FIR
dated 09.06.2023, registered for the offences punishable under
Sections 406 and 420 of the Indian Penal Code.

3. According to prosecution case, the job of the
petitioner is to provide loan to desired women and then receive
the amount in the company's account, however, during internal
investigation it came to light that petitioner received loan
amount of Rs. 80,611/- (Rupees eighty thousand six hundred
and eleven) and did not deposit the same into company's
account/women's account and when he was told to deposit the



money, he only deposited Rs. 17,671/- (Rupees seventeen thousand six hundred and seventy one) and made forgery of Rs. 62940/- (Rupees sixty two thousand nine hundred and forty) from the company.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that upon perusal of the FIR, it appears that the informant has not disclosed on which date the petitioner has not deposited the amount in question and from whom he has received the amount in question and only bold statement that the petitioner has not deposited Rs. 80,611/- (Rupees eighty thousand six hundred and eleven) in the account of the informant and after sometime the petitioner deposited Rs. 17,671/- (Rupees seventeen thousand six hundred and seventy one) in the account of the informant.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and



informant has failed to establish the case against the petitioner for the purpose of bail, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Judicial Magistrate, 1st Class, Khagaria, where the case is pending in connection with **Maheshkhunt PS Case No. 117 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(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 trial Court 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 trial Court 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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