

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.757 of 2024

Arising Out of PS. Case No.-587 Year-2023 Thana- KOILWAR District- Bhojpur

1. Satyam @ Pintu @ Anodh Kumar Yadav Son Of Sabhapati Yadav Resident Of Village - Bhopatpur Ps- Koilwar, (GIDHA Op), Distt- Bhojpur
2. Shashi Prakash Gupta @ Bholu Son Of Rajesh Shah @ Ravishekhar Gupta Resident Of Village - Bhopatpur Ps- Koilwar, (GIDHA Op), Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Mr. Prabhakar Singh, learned counsel for the petitioners and Mr. Sanjay Kumar Tiwary, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Koilwar (Gidhar) P.S. Case No. 587 of 2023, F.I.R. dated 29.09.2023 for the offences punishable under Sections 406, 419, 420 and 120(B) of the Indian Penal Code.

3. According to prosecution case, petitioners are said to have involved in the giving assurance of providing Government job by unfair means.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that the allegation as alleged is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that the family members of the petitioners have filed an affidavit before the learned Chief Judicial Magistrate, Bhojpur Ara stating therein that the recovered articles which is recovered from the house of the petitioners belong to the friends and relatives of the petitioners apart from that there no no local or independent witness are present in the seizure list.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, petitioners having clean antecedent and the recovered articles belong to the friends and family members of the petitioners, let the petitioners, 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar (Gidhar) P.S. Case No. 587 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. Petitioners 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 petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. 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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