

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7180 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- GAURICHAK District- Patna

1. Kusum Kumari W/o Yamuna Prasad R/o Ben maheshpur, P.S. - Ben, Distt. - Nalanda
2. Guddu Kumar @ Guddu Patel Son of Yamuna Prasad R/o Ben maheshpur, P.S. - Ben, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr. Vibhuti Ranjan Sonvadra, learned counsel
for the petitioners and Mr. Surendra Kumar, learned APP for the
State.

2. The petitioners are apprehending their arrest in
connection with Gaurichak P.S. Case No. 302 of 2023, F.I.R.
dated 23.05.2023 registered for the offences punishable under
Sections 406, 420, 468, 504, 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is of committing
cheating on account of providing employment by taking money
from the informant and other persons.

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



implicated in the present case merely on the ground that the petitioners are family members of co-accused persons namely Yamuna Prasad and Sonu Kumar and from perusal of the F.I.R. it appears that Yamuna Prasad who is husband of petitioner no. 1 and father of petitioner no. 2 has taken the amount from the informant and other persons and there is no allegation that the petitioners are involved in the present occurrence and they have been made accused merely on the ground that the petitioners are family members of co-accused persons.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedents and they have been made accused only on the ground that the petitioners are the family members of co-accused persons, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Patna City, Patna in connection with Gaurichak P.S. Case No. 302 of 2023, subject to the conditions as laid down under Section 438(2) of the Code



of Criminal Procedure and with other following conditions :-

(1) 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, the court below shall take step for cancellation of bail bond 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)

Ibrar//-

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

