

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50034 of 2025

Arising Out of PS. Case No.-101 Year-2017 Thana- BANKA District- Banka

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Tibhu Das @ Gopal Das S/O Manilal Das @ Manilal Ravidas Resident of
Village- Jagay, Police Station and District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-08-2025 Mr. Balram Kapri, learned counsel for the petitioner

submits that he may be permitted to make necessary correction

in paragraph-1 which inadvertently records anticipatory bail

instead of regular bail.

2. Permission accorded.

3. Learned counsel for the petitioner, Mr. Balram

Kapri submits that he would like to contribute a book to the

Patna High Court, Lawyers Association worth Rs. 300/-.

4. Heard Mr. Balram Kapri, learned counsel for the

petitioner and the State.

5. The petitioner is in custody in connection with

Banka P.S. Case No. 101 of 2017 for the offence punishable

under Sections 420, 467, 468 and 471 of the Indian Penal Code

lodged on 15.02.2017 by the informant, Akhilesh Bharti.



6. As per the prosecution story, the informant alleged that in the garb on Indra Awas Yojana, one Yashoda Devi opened an account and there is withdrawal of Rs. 69,500/- in installment but later, it came to notice that the details of the Identity card/Aadhaar card were fake.

7. Learned counsel for the petitioner submits that under *bona fide* mistake, the original documents could not be supplied, he has already suffered by being in custody since 15.05.2025 having no criminal antecedent and the last submission is that the amount along with interest has been returned to the office of the Block Development Officer, Banka on 16.01.2017 and 24.01.2017.

8. Learned APP opposes the prayer for bail submitting that he has delayed coming to the Court.

9. Taking into account the submission of the parties as also that the amount has since been returned, he has no criminal antecedent and is in custody since 15.05.2025, in that background, this Court is inclined to extend him the privilege of bail with conditions.

10. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial



Magistrate, Banka in connection with Banka P.S. Case No. 101 of 2017 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 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;

(iv) 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/-

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