

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88394 of 2024

Arising Out of PS. Case No.-667 Year-2022 Thana- SHERGHATI District- Gaya

Santosh Kumar Das @ Santosh Das @ Santosh Kumar Son of Late Prem Kumar Das @ Prem Das Resident of village- Bairagi, PS- Delha, District -Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
: Mrs. Vaishnavi Singh, Adv.
: Mr. Ritwik Thakur, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 667/2022 registered for the offences punishable under Sections 467, 468, 420, 120(B) of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have committed fraud with the informant and others at the pretext of providing government job.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The petitioner is languishing in custody since 04.09.2024



and bears no criminal antecedent. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is not in any way connected with the alleged occurrence. Learned counsel for the petitioner orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. On similar and identically co-accused, Sanjay Rahit @ Sanjay Kumar has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.61786/2022 and on the principle of parity, the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, on similar and identical co-accused has already been granted bail and keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Sherghati, Gaya in connection with Sherghati P.S. Case No. 667/2022, subject to



following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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