

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34580 of 2015**

Arising Out of PS.Case No. -11 Year- 2015 Thana -KUSHESHWARSTHAN District-  
DARBHANGA

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1. Lalan Kumar Singh S/o Late Balmiki Singh Resident of Village Naya  
Tola, Bajitpur, P.S. Muffasil, District Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
**ORAL ORDER**

2      01-09-2015                      Heard learned counsels for the petitioner and  
  
the State.

The petitioner is apprehending arrest in a case  
registered for the offences punishable under sections  
406,420 and 120B of the Indian Penal Code.

It is alleged that from the mobile of the  
petitioner some one by impersonating the informant called  
the informant's mother directing her to hand over eighty  
thousand rupees to his friend which was handed over in two  
installments to some unknown person. During investigation,  
it was found that the mobile from which the call was made to  
the informant's mother, belongs to the petitioner.



It is submitted by the learned counsel for the petitioner that there is nothing on record to suggest that the caller was petitioner or someone else or the money was given to the petitioner or someone else. More over, the petitioner claims that his mobile got lost and he gave intimation to the mobile company though subsequent to the registration of the FIR but the SIM card has not been deactivated. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that it appears improbable that the mother of the informant did not recognize the voice of her son and money was given to an unknown person in two installments on 28.12.2014 and 29.12.2014 whereas the FIR was registered on 9.1.2015.

Considering the delayed lodging of the case, the circumstantial nature of accusation and keeping in view the Statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Kusheshwar Asthan P.S. Case No. 11 of 2015 pending in the court of learned CJM,

Darbhanga.

This application is disposed of with the  
aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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