

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39566 of 2017

Arising Out of PS.Case No. -221 Year- 2017 Thana -CHHATAPUR District- SUPAUL

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1. Ram Kumar Das Son of Kusheshwar Das, R/o Village- Bhagwatpur,
P.S.- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner and leaned

Additional Public Prosecutor of the State.

The petitioner is apprehending arrest in connection
Chhatpur P. S. Case No. 221 of 2017 registered for offences
punishable under Sections 406, 420, 485 and 379 of the Indian
Penal Code.

It has been alleged that the petitioner in course of
business took grains worth Rupees 4, 00,000/- on credit but on
demand of money the petitioner did not return. A panchayat was
called for on 08.05.2016 in which the petitioner executed an
agreement agreeing to return the amount by 25.06.2017. It has
been further alleged that on the date of occurrence, this petitioner
intercepted the informant and circled gamcha around his neck and
snatched gold chain from his possession.

Learned counsel for the petitioner submits that entire



allegation made against him is false and concocted. There is not a single chit of paper to show that he was involved in grain business. The allegation of cheating has been made only to make the non bailable offence against the petitioner and so the petitioner deserves anticipatory bail.

Learned Additional Public Prosecutor opposes the prayer of bail.

On perusal of F.I.R. I find that the informant has not annexed the paper to show that any business of grain was being carried out by him and grains worth Rs. 4 lakh was given on credit.

Considering the facts and the circumstances of the case and the nature of allegation, the prayer of anticipatory bail is allowed and the petitioner in the event of his arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Chhatapur P.S. Case No. 221 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate- IV, Supaul, subject to the conditions laid down under Section 438 (2) Cr.P.C.

(Sanjay Kumar, J)

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