

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43360 of 2018

Arising out of P.S. Case No.- Year- Thana- District- Siwan

Shambhunath Tiwari @ Shambhu Sharan Tiwari, Son of Late Swami Nath Tiwari, Resident of Village- Lakadi Khurd, Police Station- Barharia, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Shankar Singh, son of Indradeo Singh, Resident of Mohalla- Kailgadh, P.S.- Barharia, District- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Complaint Case No.2269 of 2005 registered for offences punishable under Sections 120-B, 406, 409, 465, 467, 468 and 471 of the Indian Penal Code.

As per F.I.R., the allegation against the petitioner is that he did not return the loan amount of 25000/- as taken by him from Gramin Bank, Lakri Dargah.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case due to ulterior motive and cognizance has also been taken on the basis of complaint. It is also submitted that petitioner is not concerned with this matter in any way and the case is of purely



civil in nature and the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Complaint Case No.2269 of 2005 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Siwan, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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