

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47154 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- PARBATTa District- Khagaria

Vivekanand Paswan, Son of Nageshwar Paswan, Resident of Village -
Kolwara, P.S.- Parbatta, Distt - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Shashi Shekhar Kishore, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Parbatta P.S. Case No. 104 of 2019, registered under
Sections 406, 420, 504 and 506/34 of the Indian Penal Code.

The accusation is that Shrawan Kumar and this
petitioner took cash of Rs.6,00,000/- from the informant for
getting his admission in medical college in the year 2012-13 but
the admission in medical college was not succeeded. Thereafter,
informant, Ramesh Kumar Paswan asked the petitioner and
Shrawan Kumar to return the aforesaid money then Shrawan
Kumar entered into an agreement on 31.05.2017 to return the
said money and this petitioner put his signature in the aforesaid



agreement as witness. After one month, Rs. 2,00,000/- was returned to the informant and when he approached to Shrawan Kumar and this petitioner to return the remaining amount then Shrawan Kumar threatened him for dire consequences and this petitioner also did not take any heed to return the money.

Learned counsel for the petitioner submits that while it is alleged in the F.I.R. that cash of Rs.6,00,000/- was taken by Shrawan Kumar and this petitioner for getting admission of the informant in medical college but the agreement, which is said to be executed by Shrawan Kumar to return aforesaid amount, as Shrawan Kumar had taken the loan from the informant, which is detailed in the aforesaid agreement in between the informant and Shrawan Kumar. Moreover, the signature of the petitioner in the aforesaid agreement is forged and fabricated. Further submission is that petitioner is practicing Advocate in Sub-Divisional Civil Court, Gogari and he has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned A.C.J.M.,
Khagaria, in connection with Parbatta P.S. Case No. 104 of
2019, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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