

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71390 of 2018

Arising Out of PS. Case No.-267 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Raja Kumar, son of Late Krishna Singh @ Kishundeo Singh, resident of
village-Saidpur Ganesh, P.S. Bidupur, District-Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr. S. Ehteshamuddin

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

ORAL ORDER

7 15-05-2019 In compliance of order dated 14.03.2019, D.S.P.
(Headquarter), Vaishali is appeared, in person, with learned
Addl. Public Prosecutor for the State and filed his explanation
on affidavit. The case diary has already been received.

The reasons assigned in the explanation along with
the affidavit filed by the D.S.P. (Headquarter), Vaishali is
accepted and he is exonerated from personal appearance.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in
connection with Hajipur Sadar P.S. Case no. 267 of 2018,
registered under Sections 341, 447, 323, 354, 406, 420, 379, 504
and 506 of the Indian Penal Code.

The accusation is that petitioner being the remote



relation with the informant approached her for loan of Rs. 5,20,000/-. Thereafter, informant Usha Devi transferred Rs. 27000/- in the account of petitioner from her saving account on 06.12.2016 and later on, she also transferred Rs. 10000/- on 06.02.2017. Subsequently, Rs.4,83,000/- was also paid on different dates to the petitioner. While in spite of much pursuation, money was not returned by the petitioner to the informant. Thereafter, on 26.04.2018 petitioner along with his brother Ranjit Kumar, wife Anjali Kumari and brother-in-law Pappu Kumar came at the house of informant and started to abuse and caused assault to the informant. At that time, petitioner and his brother laid the informant on the ground and Pappu Kumar started pressing her neck. In the meantime, Anjali Kumari snatched her golden chain worth of Rs. 50,000/- and they also took her thumb impression on several blank papers and they also threatened her for dire consequences, if the case will be lodged. Informant further alleged that she has also transferred Rs. 20,000/- from the account of Mukesh Kumar to account of Hira Lal Singh, nephew of the petitioner.

Learned counsel for the petitioner submits that, in fact, on 16.12.2016, this petitioner transferred Rs. 27000/- in the account of informant through RTGS due to that



reasons, Rs. 27,000/- was transferred in his account, but due to dispute occurred in between petitioner and informant, the informant lodged the present case with false allegation. The petitioner has got no criminal antecedent except Hajipur Sadar P.S. Case No. 275 of 2018, under Sections 341, 323, 354, 504 and 506/34 of the Indian Penal Code, which has also been lodged by the informant of the present case.

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 four 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 267 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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