

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15199 of 2020

Arising Out of PS. Case No.-580 Year-2019 Thana- KOTWALI District- Patna

Nirbhay Sinha Son of Narendra Sinha Resident of Ajay Bhawan, 4th
Floor Frezer Road, P.S.- Gandhi Maidan, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 12-10-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Kotwali P.S. Case no. 580 of 2019 registered under sections 419,420, 465, 468, 471, 193 and 120B of the Indian Penal Code.

As per allegation in the FIR, the three accused persons as also the three investigating officers of the case are stated to have filed a false case against one Nirbhay Singh and his wife for the purpose of extortion of money. It is stated that the case lodged by the petitioner is Kotwali P.S. Case no. 664 of 2017.

It is submitted by learned counsel for the petitioner



that the allegation as levelled in the FIR are false and concocted. Referring to the FIR of Kotwali P.S. Case no. 664 of 2017 which has been brought on record as Annexure 2 to the petition and wherein Nirbhay Singh and his wife are named accused, it is submitted that on investigation the allegations were found to be true and charge sheet (Annexure 3) was submitted against them and by order dated 14.5.2018 (Annexure 4), cognizance was taken by the learned Court below. It is further submitted that the accused Nirbhay Singh against whom this petitioner had filed the above mentioned case i.e.Kotwali P.S. Case no. 664 of 2017 remained in custody in the said case for about eight months. The petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Kotwali P.S Case no. 580 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Patna subject to the conditions as laid
down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash/-

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