

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7410 of 2020

Arising Out of PS. Case No.-544 Year-2019 Thana- SITAMARHI District- Sitamarhi

Praveen Kumar @ Pravin Kumar Son of Vijay Kumar @ Vijay Sah Resident
of Village - Sahu Chowk, Ward No.18, Mehsaul O.P., P.S.- Sitamarhi, Dist.-
Sitamarhi Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail
in connection with Sitamarhi (Mehsaul o.p.) P.S. Case No. 544
of 2019 registered for the offence punishable under Sections
341, 342, 323, 354, 504 of Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioner has been falsely implicated in this case, no such
occurrence has ever taken place and it is the admitted position
that the petitioner was working in the showroom of the
informant. The informant's husband died in the year 2018 and
since then she has been taking care of the showroom. It is
further submitted that after death of informant's husband he has
not been given his commission.

Learned APP has opposed the prayer for anticipatory



bail of the petitioners.

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner that in fact it is a false and fabricated case against the petitioner because he was pressurizing the informant to pay his outstanding dues for the work rendered by him in the shop, namely, M/s Sai Auto Mobile, Nahar Chowk Dumra, further submission is that the said shop belonged to the husband of the informant who died in the year 2018 and thereafter the informant was taking care of the shop and the petitioner was demanding his dues and the submission of learned counsel for the petitioner is that it seems highly improbable that at about 20:45 hours which means 8:45 P.M. during night hours on the telephone call of this petitioner the informant will go to her shop and there the kind of occurrence alleged may take place, as also that the petitioner has no criminal antecedent, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Sitamarhi (Mehsaal O.P.) P.S. Case No. 544 of 2019 be released on bail on furnishing of bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, subject to the conditions as



laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required:

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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