

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 25174 of 2020**

Arising Out of PS. Case No.-231 Year-2019 Thana- SUPPI District- Sitamarhi

Ramagya Sahni, S/o Late Ramvriksha Sahni, Resident of Village-Ramnagra,  
P.S.- Suppi, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                        |   |                                |
|------------------------|---|--------------------------------|
| For the Petitioner     | : | Mr. Mrityunjay Kumar, Advocate |
|                        |   | Mr. Santosh Kumar, Advocate    |
| For the Opposite Party | : | Mr. Ram Anurag Singh, APP      |

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      12-11-2020                      Heard Mr. Mrityunjay Kumar, learned counsel for the petitioner and Mr. Ram Anurag Singh, learned Additional Public Prosecutor for the State via video conferencing.

2. The petitioner seeks pre-arrest bail in connection with Suppi P.S. Case No.231 of 2019 registered under Sections 406 and 420 of the Indian Penal Code.

3. It is contended by the learned counsel for the petitioner that no offence as alleged in the first information report has ever taken place. The wife of the petitioner is a panchayat samiti member and the informant was a supporter of the candidate who was defeated by the wife of the petitioner. It is because of that animosity, the informant has been set up by the defeated candidate in order to humiliate and harass the petitioner and his wife. He further contended that save and



except the oral allegation, there is no chit of paper to support the contention of the informant that on the alleged date of occurrence, the petitioner got withdrawn Rs.10,000/- from the bank account of Anita Devi and Sangita Devi.

4. On the other hand, learned Additional Public Prosecutor appearing for the State has opposed the application for grant of pre-arrest bail to the petitioner. He contended that as per the allegation made by the informant, on the alleged date of occurrence, the petitioner got withdrawn Rs.10,000/- from the bank account of Anita Devi and Sangita Devi by deceit through the informant, who is a student and used to work as an agent of Spice Money to deposit and withdraw the money and when both Anita Devi and Sangita Devi objected, the informant asked the petitioner to return the amount but he refused. Later on, Panchayati was held but the petitioner did not return the amount and threatened the informant to implicate him in a false case.

5. Considering the nature of offence, the submissions advanced at the Bar as also the fact that for the alleged occurrence of offence dated 25.10.2019, the first information report was belatedly filed on 25.11.2019, the petitioner is directed to be released on bail, in the event of his arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Suppi P.S. Case No.231 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

6. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Sr. Secretary/registry for uploading of the present order without compromising



with the norms of social distancing.

**(Ashwani Kumar Singh, J.)**

sanjeet/-

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