

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.265 of 2020**

Arising Out of PS. Case No.-3840 Year-2016 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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BYAS KUNWAR @ BEYAS KUNWAR Son of Late Shivnath Kuwar
Resident of Village-Dekuli, Police Station-Mahammadpur, District-
Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Manti Devi @ Manti Kunwar Wife of Late Shatrughan Singh Resident of
Village-Dekuli, Police Station-Mahammadpur, District-Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh
For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-06-2020 Due to COVID-19 Pandemic, the matter is being

taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
instituted for the offences under Sections 420, 406 and 504 of
the Indian Penal Code.

The prosecution case in short is that on pretext of
doubling the money, the accused persons took Rs. 6,000/- from
the complainant and later misappropriated the same.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Both the parties are co-villagers. Due to village politics, the petitioner has been made accused. The allegation is that the petitioner has taken Rs. 6,000/- from O.P. No. 2 for investment in a non-banking financial company. The petitioner is ready to deposit a sum of Rs. 6,000/- in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R..

Considering the facts and circumstances of the case and also the lockdown, **on deposit of a sum of Rs. 6,000/- in the Court below which shall be subject to final disposal of the case**, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned A.C.J.M. -I, Gopalganj in connection with C. Case (Regd.) No. 3840/2016, Tr. No. 977 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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