

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86432 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

SHAMBHU PANDEY Son of Late Bali Pandey Resident of Village-
Brahmasthan, P.S.- Bhagwanpur Hat, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Bhagwanpur Hat PS case no. 38 of 2019 registered for the offences punishable under Sections 341, 323, 379, 420, 406, 307, 504, 506/34 of Indian Penal Code.

The allegation is regarding the petitioner and other co-accused persons having taken a sum of Rs. 5 lacs from the informant, however subsequently, they had refused to return the same and when the informant had come to take her money, she was abused and assaulted by the petitioner and others.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that there is no proof on record of the case to show that the informant had ever given



a sum of Rs. 5 lacs to the accused persons, hence no case is made out for the offences alleged.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner coupled with the fact that there is no proof of giving a sum of Rs. 5 lacs to the accused persons, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-IInd class, Siwan in connection with Bhagwanpur Hat PS case no. 38 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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