

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17651 of 2022

Arising Out of PS. Case No.-797 Year-2021 Thana- KHAJANCHI HAT District- Purnia

KUMAR SNEHASHISH @ BANTI S/O ISHWAR MAHTO R/o Mohalla-
Jai Prakash Colony, Madhubani, P.S.- K. Hat (Madhubani), District- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandan Kumar S/o Late Madhusudan Singh R/o Mohalla- Ashram Road,
Ward No. 15, P.S.- Araria, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with K Hat (Madhubani) P.S. Case no. 797 of 2021 instituted for the offence under Sections 467, 468, 471, 420, 406, 504, 506/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner took Rs. Five lac from he informant for which he has given in writing on non-judicial stamp of Rs. 100/- as a loan with an assurance to return it within a period of two months. After lapse of given time, on asking to return the money by the informant, petitioner denied.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Informant is claiming Rs. Five lakh out of which about Rs. 4,40,000/-, he has neither mentioned any date of transaction in the FIR nor any chit of paper as evidence, which shows false claim of the informant. For transaction of Rs. 60,000/- informant has provided two different dates with account number which is a valid transaction to which petitioner is ready to return.

By filing supplementary affidavit, petitioner has brought on record that he is ready to return Rs. 60,000/- to the informant, which is mentioned there in para-3.

Petitioner is directed to deposit Rs. 60,000/- (Rs. Sixty thousand) in the account of the informant.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with K. Hat (Madhubani) P.S. Case no. 797 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned CJM, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 60,000/- (Sixty thousand only) by the petitioner in the account of informant.

(Sunil Kumar Panwar, J)

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