

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21239 of 2022

Arising Out of PS. Case No.-577 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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Sri Pradeep Kumar Agrawal, Son Of Sagar Mal Agrawal Residence Of
Ashram Road, Raxaul, P.S.- Nagar Thana, District - East Champaran, Bihar -
845305

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Ojha- Advocate Mr. Apurv Harsh- Advocate Mr. Manu Tripurari Ms. Mahima Sharma Mr. Prashant Bhardwaj Mr. Sujit
For the Opposite Party/s :		Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 406
and 420 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant,
District Land Acquisition Officer, East Champaran alleges that
the petitioner without obtaining any order from the office of the
undersigned uploaded the Income tax return file on allotted
TAN No.PTNGO4652E of the Income Tax Department, which



is against the rule. It is next alleged that on account of the conduct of the petitioner, the department lost a considerable amount of revenue, for which an appeal is also preferred before the Income Tax Authority.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The act complained of is not an illegality, but may be an irregularity. It is next submitted that the informant was aware of the loss incurred on account of the act of the petitioner in the Year 2017 itself, when he had filed an appeal before the tax authority, but still the present F.I.R. came to be instituted in 2021 i.e. after a delay of more than 04 years without any plausible explanation.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that there was an inordinate delay in instituting the F.I.R. without any plausible explanation, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending in connection with Motihari Town P. S. Case No.577 of
2021, subject to the conditions laid down under Section 438(2)
of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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