

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25587 of 2022

Arising Out of PS. Case No.-620 Year-2020 Thana- KANTI District- Muzaffarpur

INDRADEV THAKUR SON OF LATE RAJ KISHOR THAKUR R/O
VILLAGE- SUBHANKARPUR, P.S.- KANTI, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv
For the Opposite Party/s : Mrs. Anita Kumari Singh, APP
Mr. Bhavesh Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 406 and 420 of IPC.

Allegedly, the petitioner along with other accused persons demanded Rs. Ten Lakhs, from the informant as loan to build a house. The informant on compulsion gave Rs.1,50,000/- on 01.01.2018, Rs.2,90,000/- on 01.01.2018 and on 01.09.2019 Rs.4,87,000/- to the accused persons and got signed the acknowledgment paper on the stamp. And it is also written that



all the amount of Rs.9,27,000/- will be returned in two months. When the accused persons did not return the money on time, and on pressure from the informant, petitioner returned only Rs.40,000/- in cash. Even after several requests they did not returned the money. When the informant went to the house of the accused persons, they abused and threatened to kill him.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. It is submitted that the petitioner had filed a complaint case earlier, thereafter, the informant has filed the present case after two months. Both the petitioner and informant are agnates. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is money dispute between the parties and both sides are agnates, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court



below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Kanti P.S. Case No.620 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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