

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39511 of 2021

Arising Out of PS. Case No.-389 Year-2020 Thana- BHORE District- Gopalganj

BIRESH SINGH @ BIRESH KUMAR SINGH Son of Sitaram Singh
Resident of Village- Sadhpur Chhattar, P.S.- Daudpur, District- Saran at
Chapra- 841205.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP
Mr.Lokesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-07-2022 Heard learned counsels for 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 u/s 406, 420 and 504 of the IPC.

The allegation against the petitioner is that he has played fraud with the informant and by making an agreement between the parties has taken three trucks from the informant.

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. No fraud has been committed by the petitioner but the real fact is that in order to grab the money of the petitioner, the informant has brought this case. It is submitted that the informant has alleged that an agreement was made between the parties but the informant has no where produced the said agreement either before the Police or in the Court. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the informant has not produced the agreement in question, 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 connection with Bhore P.S. Case No.389/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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