

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36611 of 2022

Arising Out of PS. Case No.-175 Year-2020 Thana- KAHALGAON District- Bhagalpur

Rakesh Kumar Tiwari Son Of Late Tripit Kumar Tiwari @ Tripati Kumar
Tiwari Resident Of Village- Tagepur, P.S.- Jagdishpur, District- Bhagalpur
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Kumar Jha, Advocate
For the Opposite Party : Mr.Akbar Ali, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 406/420 of the Indian Penal Code.

Prosecution case is that the petitioner had taken Rs.2 lacs from the daughter of the informant for doing business activity with assurance to return the same within a year but he denied to return the same.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that from the FIR itself it is apparent that alleged money was taken by the petitioner in 2014 and FIR was lodged after lapse of six years and there is no plausible explanation of the delay. Dispute arose out of money transaction between the parties and no offence is made out against this petitioner. Petitioner has got no criminal antecedent.



Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Kahalgaon Police Station Case No. 175 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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