

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46887 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- SHAMBHUGANJ District- Banka

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Rahul Mishra, Male, aged about 32 years, Son of Naresh Mishra, Resident of Village - Amarpur, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupa Kumari, Wife of Mukesh Kumar Singh, Resident of Village - Maharpur, P.S.- Shambhuganj, District- Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Mohan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

3 11-02-2022 Heard the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Shambhuganj P.S. Case No. 81 of 2021 instituted for the offences punishable under Sections 409, 420, 467, 468, 120(B), 504 and 506/34 of the Indian Penal Code.

Taking into consideration the nature of allegations, the petitioner cannot be said to be involved in the said alleged forgery. The informant has not been able to show any proof of having made any payment to the petitioner. The allegations are bald and without any basis and essentially false. If at all, there is a moral contract for which no benefit can be given to the informant.

I have considered the submissions and taking into consideration the aspect of there being no proof regarding making payment, I am inclined to grant anticipatory bail to the petitioner, in the event of arrest he shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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