

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37386 of 2022

Arising Out of PS. Case No.-356 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

HARIKESH TIWARY Son of Late Jang Bahadur Tiwary Resident of Village-
Chandaura, P.S.-Ara Nawada, District-Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dineshwar Mishra, Adv.
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP
For the Informant	:	Mr.Ashok Kumar Singh, Adv.
		Mr.Anand Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 406, 420/34 of the IPC.

The allegation against the petitioner is committing fraud with the informant in the name of purchase of a land whereby the petitioner and one Pradeep Tiwary cheated Rs.13 Lakhs from the informant and to return the said money Pradeep Tiwary handed over a cheque of Rs.10 Lakhs to the informant which got dishonoured.

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. It is submitted that there is a civil nature of dispute between the parties. Money was given to Pradeep Tiwary, who is the son of petitioner herein and due to grudge, petitioner has been implicated in this case. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, 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 Ara Muffasil P.S. Case No.356/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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