

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53706 of 2021

Arising Out of PS. Case No.-32 Year-2020 Thana- BELA INDUSTRIAL District-
Muzaffarpur

MD. PARWEJ Son of Late Md. Jakir Resident of Mohalla - Bela Chhapra,
P.S. - Bela, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and the informant alleges that he is owner of Kalika Traders and deals in cement and rod, it is next alleged that on 24.08.2020, he received a call from mobile number 7900017402 and the caller disclosed that the number belongs to M.P. and M.L.C., it is next alleged that in pursuance of the call made from the aforesaid number, 2000 bags of cement were lifted from the godown of the informant as



detailed in the F.I.R. in between 25.08.2020 to 28.08.2020. It is further alleged that thereafter the informant was called near an egg shop where he was given a cheque by an unidentified person which later turned out to be forged.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant specifically alleges that he was conned by an unknown caller who disclosed himself as M.P. and M.L.C. in pursuance whereof 2000 bags of cement were given to different shop owners as detailed in the F.I.R. It is next submitted that petitioner is not the owner of any of the shop and came to be implicated based on the fact that at paragraph '71' of the case diary it is recorded that Truecaller shows that one of the number is of the petitioner, learned counsel submits that it absolutely does not stand to reason that the petitioner from his own mobile number in his name would have called the informant for committing such an occurrence and thus create evidence against himself. It is further submitted that at times people who indulge in fraudulent transactions even misuse Truecaller, further the alleged mobile is in the name of one Golu Thakur, Parsauni, District-Sitamarhi.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each 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 Bela P.S. Case No. 32 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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