

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52039 of 2021

Arising Out of PS. Case No.-46 Year-2019 Thana- RAGHUNATHPUR District- Siwan

1. PRABHAT KUMAR SINGH Son of Late Laxman Singh Resident of Village - Kajrashan, P.S. Raghunathpur, District - Siwan.
2. Upendra Kumar Yadav Son of Bijaymal Yadav Resident of Village - Tari, P.S. Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition of petitioner no.1, namely, Prabhat Kumar Singh.

Permission is accorded.

Accordingly, the petition of petitioner no.1, namely, Prabhat Kumar Singh is dismissed as withdrawn.

Heard learned counsel for the petitioner no.2, namely, Upendra Kumar Yadav and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420, 465, 468, 467 and 471 of the Indian Penal Code.

It is alleged that accused persons have taken



Rs.85,000/- from the informant with promise to send him to Dubai for job, accused petitioner has given visa and tickets to the informant and when he reached to Dubai Airport, no one was there to receive him and anyhow, he managed to stay 4-5 days in Dubai with the help of his relatives and informed to his family members, when money was sent to him from his family, then he came back on 26.10.2016. On 23.01.2017, informant met with accused persons and demanded his money, they returned Rs.22,000/- and promised to rest Rs.43,000/- on 15.05.2017 after lapse of time accused has given a cheque of Rs.20,000/- on 02.06.2017 but due to insufficient money in the account cheque was bounced.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and the case is of civil in nature and the cheque issued by co-accused Harendra Kumar and not by this petitioner.

Learned APP appearing for the State opposed the anticipatory bail of this petitioner.

Considering the aforesaid submissions, let the petitioner, namely, Upendra Kumar Yadav, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing



bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VIII, Siwan in connection with Raghunathpur P.S. Case No. 46 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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