

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55020 of 2021

Arising Out of PS. Case No.-115 Year-2016 Thana- BAIRIYA District- West Champaran

Ranjit Kumar Jha S/o Late Vijay Nath Jha R/o Village-Saraiya Ojhwaliya,
P.S-Bairia, District-West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar
For the Opposite Party/s	:	Mr. APP
For BSFC	:	Mr. Shailendra Kumar Singh, Advocate Mr. Utkarsh Utpal, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 08-08-2022 Learned counsel for the petitioner has filed rejoinder to the show cause reply filed on behalf of opposite party no.2, which is kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Bairiya P.S. Case No.115 of 2016, registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that in the present matter, there was arbitration between the parties and the learned Arbitrator has passed the award. Learned counsel for the



petitioner submits that the petitioner had already pledged their properties in favour of the BSFC (Annexure-1 at page 64-65) and as per order of Hon'ble Supreme Court passed in Cr. Appeal No.998 of 2018 that if the petitioner pledged their properties then there was no requirement of furnishing any Bank Guarantee at all and all that the agreement insisted upon was furnishing of security.

Learned counsel appearing on behalf of BSFC submits that he has challenged the said award in appeal, which is still pending.

Taking into consideration the facts and circumstances of the case, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Chapra in connection with Bairiya P.S. Case No.115 of 2016, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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