

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55234 of 2021

Arising Out of PS. Case No.-68 Year-2019 Thana- INARWA District- West Champaran

Diwakar Kumar @ Diwakar Upadhyay Son Of Narmadeshwar Upadhyay
R/O Village- Khiriya Ghat, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 30-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 420, 406, 409/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that the alleged amount of Rs. 6,00,000/- was transferred in the account of co-accused Sanjiv Kumar Rai for completing Jal Nal Scheme. He submits that the petitioner has no concern with any of the accounts in



which the amount in question was credited nor even the petitioner has any concern with the co-accused Sanjiv Kumar Rai. He submits that the petitioner is only partner of the co-accused. He submits that there is no specific allegation against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner, the above named petitioner 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 the learned court below where the case is pending/successor court in connection with Inarwa P.S. Case No. 68 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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