

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2642 of 2023

Arising Out of PS. Case No.-525 Year-2022 Thana- BANKA District- Banka

ANGAD KUMAR S/o Tej Narayan Mahto Resident Of Village- Suraha, P.S.-
Amarpur, District Banka. Petitioner/s

Versus

1. The State of Bihar
2. Md. Ushman Gani S/ Late Ashraf Ali R/o Village- and P.O.- Hasay, P.S.-
Dhankund, Distt- Banka. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Subhash Kumar Jha, Advocate
For the State	:	Mr. Ajit Kumar, APP
For the O.P. No.2	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 18-09-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

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

3. The allegation against the petitioner, as per the FIR, is
that the petitioner took Rs.40,000/- from the daughter of
opposite party no.2 and Rs.60,000/- from one Sonam Bihari on
pretext of getting admission in B.Sc. nursing and
misappropriated the same.



4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Learned counsel for the petitioner handed over a bank draft of Rs.50,000/- to the learned counsel for the opposite party no.2. Learned counsel for the petitioner further submits that he is ready to pay to one Sonam Bihari also in the learned Court below if a compromise petition is filed by her. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned counsel for the opposite party no.2 has no objection in granting the bail to the petitioner as he has received a bank draft of Rs.50,000/-.

6. 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 Banka P.S. Case No.525 of 2022, subject to the condition



as laid down under Section 438 (2) of the Cr.P.C.

7. Opposite party no.2 is directed to file a compromise
petition before the learned Court below.

(Anjani Kumar Sharan, J)

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