

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6690 of 2023

Arising Out of PS. Case No.-232 Year-2022 Thana- PUPRI District- Sitamarhi

Vijay Kumar @ Vijay Pandit @ Vijay Kumar Pandit Son Of Late Tetar Pandit
R/O Village- Bedaul, Ward No.13, P.S.- Pupri, District- Sitamarhi

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 354, 379, 406, 420 and 504/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, petitioner had taken money from the informant and her husband on the pretext of providing loan for five lacs to each person for doing business, but she could not get loan and on demand petitioner refused to return the money and threatened to institute false case against them. Petitioner had given false cheque of Rs. 10,00,000/- which became bounced. It is further alleged that on 13.06.2022 the petitioner abused and assaulted the informant and committed theft of ornaments when she demanded her money.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that the occurrence took place on 13.06.2022 but FIR lodged on 14.07.2022. He submits that there is delay of more than one month in filing of the present FIR and there is no any explanation of it which creates serious doubt about the prosecution case. He further submits that similarly situated other co-accused persons have already been granted bail by a bench of this Court vide order dated 03.01.2023 passed in Cr. Misc. No. 60951 of 2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Pupri P.S. Case No.232 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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