

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6343 of 2023

Arising Out of PS. Case No.-713 Year-2022 Thana- SAHARSA SADAR District- Saharsa

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AVINASH KUMAR @ ANWESH KUMAR S/o Nirmal Kumar Yadav @
Gopi Yadav R/o Jajhar Sabaila, ward no. 9, PS- Singheshwer, Distt-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 406, 420,
504, 506 and 34 of the Indian Penal Code and Section 138 of the
N.I. Act.

The allegation against the petitioner along with others
is of cheating and taken a sum of Rs. 8,63,200/- from the
informant for providing a job as Assistant Lab Technical in
Madhepura Medical College. It is further alleged that Rs.
8,63,000/- has also taken from another two persons.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. From the perusal of the FIR, it is clear that threatening was given on 19.09.2022 but still written report was given on 23.09.2022, for the reason best known to the petitioner. The materials, which came during investigation in statement of informant and two of his friends that they have given the amount to co-accused Ashish Kumar and cheque was issued by co-accused Ashish Kumar only, which was not clear. There is no documentary evidence against the petitioner in respect of receiving money. It is further submitted that the main co-accused namely, Ashish Kumar is in judicial custody. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 18.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court



of C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case
No. 713 of 2022.

(Sunil Kumar Panwar, J)

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