

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23155 of 2023

Arising Out of PS. Case No.-557 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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CHANDAN PASWAN @ CHANDAN KUMAR SON OF SURYA
BHUSHAN PASWAN @ NIRDHAN PASWAN R/O BELA BAGROLI, P.S.-
BIHRA, DISTRICT- SUPAUL, BIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. ABDUL RAHMAN SON OF MD. SHEIKHAWAT MIYAN R/O BELA
BAGROLI, P.S. BIHRA, DISTT.- SAHARSA, BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Srivastava, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP
For the Complainant	:	Mr. Rohit Kumar Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 420, 120B, 406, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the complainant alleges that petitioner took Rs. 1,14,000/- from him for providing electricity connection, but the same was not provided and the petitioner embezzled the said amount. It is next submitted that when the complainant asked the petitioner to



return the money, petitioner abused the complainant and further threatened him to implicate him under the SC/ST Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that for providing electricity connection, the petitioner would have taken 1,14,000/- from the complainant and that too without giving any receipt when electricity connection or installation of pole is done by the Electricity Company which does not transact in cash. It is further submitted that the date of occurrence is 01.06.2022 and the date of complaint is 03.06.2022, it is next submitted that the complainant came to be implicated in a criminal case in which the petitioner had deposed against him and it was thereafter that the present complaint came to be instituted by way of an afterthought.

Learned A.P.P. for the State along with learned counsel for the complainant opposes the prayer for anticipatory bail of the petitioner, but are not in a position to rebut the submission of the learned counsel for the petitioner that no money receipt was issued and there is a delay in instituting the complaint.

Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 557-C/2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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