

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22454 of 2023

Arising Out of PS. Case No.-490 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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Amresh Pandey, Son of Late Narad Pandey, Resident of Village- Radhiya, PS-
Govindganj, Distt- East Champaran Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikash Kumar Pankaj, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection

with Govindganj P.S. Case No. 490 of 2022 dated 27.09.2022

registered for the offences punishable u/ss 420, 379, 384, 411

read with Section 34 of the Indian Penal Code.

As per the prosecution case, the informant was in

touch with one Shrikant Tiwari on his mobile number for buying

pure gold on a cheaper price. Being lured by the said sale and

purchase of pure gold, the informant along with his brother



contacted to Shrikant Tiwari. The informant and his brother was taken to the village of Radhiya and was made to seat at house. The informant agreed to purchase pure gold of worth Rs. 4,20,000/-. The money was handed over but no gold was given. The informant's brother suspected the transaction and took the money back from the person to whom it was delivered. It is further alleged that 8-10 persons came and threatened the informant and his brother. In the meantime, the police arrived and his money was saved. It is further alleged that the house where the alleged discussion and transaction took place belonged to one Ajeet Kumar Diwedi.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is not named in the F.I.R. and he is falsely implicated only on the basis of call record of the mobile number belonging to one co-villager Shrikant Tiwari. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is accused in three other criminal cases as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of



the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Govindganj P.S. Case No. 490 of 2022, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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