

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33688 of 2020

Arising Out of PS. Case No.-60 Year-2015 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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KRISHNA DEO JHA S/o Late Bhp Narayan Jha R/o village- Bhalpatti, P.S.-
Bhalpatti, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surendra Choudhary S/o Late Rajendra Choudhary R/o village and Post-
Poudhi, P.S.- Bahera, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha
For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and the State.

Despite service of notice nobody appears on behalf of O.P.

No.2.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 323, 406, 420, 467,
504 of the Indian Penal Code.

As per the prosecution case, when the complainant
went to the house of co-accused, Ashok Jha, this petitioner,
father of co-accused, Ashok Jha, assured that he would return
the amount taken by co-accused, Ashok Jha from him. It is
further alleged that when the petitioner and his son failed to
return the amount the complainant sent a legal notice on
30.03.2015 and thereafter lodged the present case.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that from perusal of complaint petition it is apparent that thrust of accusation is against co-accused, Ashok Jha, and petitioner has been made accused in this case only because he is father of co-accused, Ashok Jha. Petitioner has not taken any money from the complainant. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with C.R. case No. 60/ 2015, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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