

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34822 of 2023

Arising Out of PS. Case No.-58 Year-2020 Thana- SAHAR District- Bhojpur

=====

AMARNATH KUMAR @ AMAR KUMAR SON OF SRI UPENDRA
SHARMA Resident of Village- Gopalpur, P.S- Rani Talab, District- Patna,
Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-11-2023 Heard Mr. Ravindra Kumar, learned counsel for the

petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the

State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406
of the Indian Penal Code.

3. The prosecution case, in brief, that the informant is an
employee of Sankalp Shreejan Producer Company and Sankalp
Parivar Infra Structure Ltd. In such capacity and on the code of
husband Ajay Kumar Rai, she deposited about Rs. 7 lacs of her
family relative and other of which the maturity is Rs. 10 lacs.
On repeated request for payment of maturity amount, a cheque
was issued in her name, but due to insufficient fund in the



account, the cheque was dishonored by the Bank.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that similarly situated co-accused, namely, Praveen Kumar, who is brother of the petitioner has been granted bail on the condition that he will submit a bank draft of Rs. 34,000/- in favour of the informant which will be handed over to the informant and this payment shall be made by way of bank draft and the said payment will be subject to the final outcome of this case. But in the case underhand, as per the learned counsel for the petitioner, the payment has already been made. Petitioner has seven criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the said amount i.e. 34,000/- has already been paid to the informant, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sahar P.S. Case No. 58 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

