

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35888 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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ANUKUL KUMAR S/O MUKALI RAI @ BRIJNATH RAI R/O Village-
Taranw, P.S.-Nasriganj, Dist.-Rohtas

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. AVINASH VERMA S/O NAND KISHORE SINGH R/O Village-
Mahaddiganj, Post Office-Sasaram, P.S.-Sasaram (Muffasil), Dist.-Rohtas
(Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashikant
For the Opposite Party/s	:	Mr. Prem Kumar Jha
For the Complainant	:	MR. Rameshwar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 504,
506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner has
taken Rs. 5,00,000/- from the complainant to provide a tender in
lieu of the said amount but he failed to provide such tender and
also refused to return the said amount.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He stated in para-14 of the bail application that the petitioner is ready to settle the dispute with the complainant. He also submits that the petitioner is ready to return the said amount i.e. Rs. 5,00,000/- to the complainant. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the complainant opposed prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the statement made in para-14 of the bail application and at bar, let the above named petitioner, be released on **provisional bail for six months**, 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 Complaint Case No. 301 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to confirm the provisional bail of the petitioner after satisfying that the



petitioner has paid the said amount i.e. Rs. 5,00,000/- to the complainant.

8. The complainant is directed to withdraw this case after receiving the said amount from the petitioner.

9. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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