

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37255 of 2023

Arising Out of PS. Case No.-1587 Year-2022 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Abhinash Kumar @ Avinash Kumar Son Of Rajkishore Pandey Resident Of
Village - Katarmala, P.S. - Goraul, District - Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Niraj Kumar Son Of Late Ashok Kumar Singh Resident Of Village And P.O.
- Pirapur Mathura, P.S. - Goraul, District - Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar
For the Opposite Party/s	:	Ms. Madhuri Lata
For the Complainant	:	Mr. Dilip Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-10-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

complainant.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 420 of the

Indian Penal Code.

3. As per the prosecution case, allegation against

the petitioner is of taking rupees one lakh fifty thousand from

bank account and rupees four lakh cash, from the father of the

complainant in the name of giving job in Railway.

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 submits that the petitioner is ready to return the amount of Rs. 1,50,000/- to the complainant in two installments within six months. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Considering the facts and circumstances of the case and the statement of the learned counsel for the petitioner made before 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 Vaishali Complaint Case No. of 1587 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below shall confirm the provisional bail of the petitioner after satisfying himself that the



petitioner has returned the said amount i.e. Rs. 1,50,000/- to the complainant.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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