

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39519 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- RIGA District- Sitamarhi

Naresh Raut, S/O- Dev Narayan Raut Village- Ijrahia Ward No-4, P.S.- Riga District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Riga P.S. Case No. 109 of 2023 registered for the offence punishable under Sections 379, 420, 406 of the Indian Penal Code.

3. As per the prosecution case, the petitioner has taken Rs. 28,000/- from the informant for soil filling in his land but subsequently, the informant came to know that his land was filled up with soil under the MANREGA Scheme and the Government money has been withdrawn by the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to village politics. There is no proof with regard to the fact that the



petitioner has ever taken Rs. 28,000/- from the informant. The informant's wife had earlier also filed a criminal case against the petitioner and his family members in which the petitioner is on bail. He has submitted that mother of the petitioner has filed complaint case against the informant and his family members.

5. Learned A.P.P. opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 109 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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