

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41397 of 2023**

Arising Out of PS. Case No.-555 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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NIRANJAN YADAV @ NIRANJAN KUMAR Son of Mahesh Prasad Yadav
@ Mahesh Yadav Resident of village - Mirzapur, P.S. - Sabour, Distt. -
Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhim Singh Son of Late Chedi Singh Resident of village - Upar Bhatti, P.S. -
Sabour, Distt. - Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar, Adv.
For the Opposite Party/s	:	Mr.Sanjay Kumar Singh, APP. Mr. Rajiv Ranjan Singh, Adv. Mr. Amit Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-10-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 504, 406, 420 of the Indian Penal Code.

3. The prosecution story, in brief, is that the petitioner, who was the agent of Ram Singar Tiwary, Director of Exla Real Project I Ltd. told the complainant that there is a Bank in which 18% interest was given and at the time of maturity, the entire amount will be paid. Being assured by the petitioner, the complainant deposited Rs. 10,00,000/- in the company and thereafter, Rs. 18,000/- per month has also been given till six



months, but after six months, the interest upon the money was suddenly stopped and when the complainant went to the office to ask about the same, accused Ram Singar Tiwary paid partial amount to him. On 27.01.2022, when the complainant went to the house of accused Ram Singar Tiwary with his son, they were assaulted by the accused.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is a constable posted at Bihar Military Police. 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 not specific rather general and omnibus in nature. The said amount was paid in the account of the company whose Director is Ram Srinagar Tiwary. 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 complainant opposes the prayer for bail and submits that petitioner is also involved in the present case, as being assured by him, the complainant deposited a large amount in the account of the aforementioned company.

6. Having regard to the facts and circumstances of the



case, as from bare perusal of record, it is evident that the said amount has been deposited in the account of the Company instead of the petitioner, 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 Complaint Case No. 555 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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