

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41786 of 2022

Arising Out of PS. Case No.-158 Year-2017 Thana- KOTWALI District- Munger

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ASHOK SINGH PRIYADARSHI Son of Late Dinesh Singh Resident of
Village - 5 -802, Sapphire Heights, Akriti Road, Kandivali
(East)Lokhandwala, Township Mumbai, Maharastra.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ambrish Chandra Singh Son of Arvind Chandra Singh Resident of Village -
Lal Darwaja, Old Munger Railway Station, P.s.- Kotwali, Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Neeraj Kumar Singh
For the Opposite Party/s :		Mr.Brajendra Nath Pandey
		Mr.Prashant Sinha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner, learned counsel

for the informant and learned Additional Public Prosecutor for

the State.

Learned counsel for the petitioner is directed to remove

the defects within four weeks.

The petitioner apprehends his arrest in a case registered

for the offence punishable u/s 420/406/467/468/471/506 IPC.

The allegation against the petitioner is that of committing

forgery of Rs.20,30,000/- from the complainant.

It is submitted by learned counsel for the petitioner that

petitioner is quite innocent and has committed no offence. He

has been falsely implicated in this case due to grudge. No such



occurrence, in the manner as alleged, has ever taken place. Petitioner has no criminal antecedent. It is submitted that there is an inordinate delay in lodging of the F.I.R. as the cause of action arose in March 2015 when petitioner denied to return his amount but FIR was lodged after two years two months i.e. in May, 2017 without giving any explanation. Such delay in lodging the F.I.R., itself creates doubt about the prosecution case. It is further submitted that as per the allegation in the F.I.R. is purely of civil nature. There is a business transaction between the parties and the informant had filed a money suit before the “appropriate” Authorities. It is further submitted that if the alleged allegations are taken in totality even then, it hardly comes within the preview of Company Law.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submits that petitioner introduced himself as the Director of the said company and on that pretext he cheated huge money from the informant but later on it came to the knowledge of the informant that petitioner is not the Director of the company.

Having regard to the facts and circumstances of the case, since there is a money transaction dispute between the parties, 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 Munger Kotwali P.S. Case No.158 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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