

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44396 of 2022

Arising Out of PS. Case No.-245 Year-2018 Thana- NAYA RAM NAGAR District- Munger

DILIP PASWAN S/o- Late Nandkumar Paswan Resident of Village - Najri,
P.O. and P.S.- Haweli Kharagpur, District – Munger. Petitioner.
Versus

1. The State of Bihar.
2. Raj Kishore Paswan, son of Nepo Paswan, resident of village Janipur, P.S.
Naya Ramnagar, District Munger. Opposite Parties.

Appearance :

For the Petitioner/s	:	Mr. Ram Sevak Choudhary, Advocate
For the State	:	Mr. Matloob Rab, APP
For the Opposite Party	:	Mr. Subodh Kumar Jha, Advocate Mr. Pranav Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-04-2023 Heard learned counsel for the petitioner learned A.P.P.

for the State assisted by learned counsel for the opposite party

no.2.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 420, 406, 417, 384 and 504 of the Indian Penal Code.

As per the prosecution case, there is old relationship between the accused persons and the complainant. On 06.08.2017, accused persons arrived in the house of the informant/complainant and demanded Rs. 3,00,000/- and promised to return the same very shortly. On 07.08.2017, the complainant withdraw Rs. 1,50,000/- and on the same day in presence of witnesses handed over to petitioner. It is further alleged that the complainant had given a sum of Rs. 1,00,000/-



again to the petitioner.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to previous grudge. He submits that from perusal of the F.I.R. it appears that main allegation against the petitioner is that he had taken money amounting to Rs. 2,50,000/- from the complainant due to good and old relationship between the parties. He further submits that he is ready to pay Rs. 1,50,000/- to the opposite party no.2 within a period of six months. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

As the petitioner is ready to return Rs.1,50,000/- to the opposite party no.2 within eight months and he is also ready to pay Rs.30,000/- at the time of furnishing his bail bonds, let the above named petitioner, be released on **provisional bail** for eight 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 Nayaram Nagar (Sofiasarai O.P.) P.S. Case No. 245 of 2018, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

The learned Court below is directed to confirm the bail bond of the petitioner after satisfying himself that the petitioner has paid the remaining Rs.1,20,000/- to the opposite party no.2 within eight months.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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