

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53074 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- PANCHRUKHI District- Siwan

Pintu Kumar Singh Son of Uday Prakash Singh Resident of village - Laheje,
P.S. - M.H. Nagar, Distt. - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Pachrukhi P.S. Case No. 08 of 2023, registered on 11.01.2023 for the offences under Sections 467, 468, 406, 420, 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioner took a sum of Rs. 7 lakhs from the informant giving him assurance of making him a partner after establishing a freezing plant. Even, after lapse of one year when the petitioner did not make the informant his partner, informant started demanding the refund of money which he had given to the petitioner. Thereafter, the petitioner returned half of the amount in installment in the bank account of the informant and for rest amount of Rs. 3.5 lakhs, he



issued a check which got bounced. The petitioner further ensured the informant that he would return the money, but he did not return the money of the informant and rather threatened him with life.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The petitioner is having clean antecedent and all the allegations are false and concocted. The petitioner has returned the entire money to the informant and informant assured the petitioner that he would return his cheque, but he did not do so and presented the cheque for encashment which got bounced and the informant did not file any complaint case under Section 138 of the Negotiable Instruments Act. Learned counsel further submits that from the FIR, it is clear that it was a case of simple monetary transaction and the petitioner returned all the money and still this case has been lodged on false and fabricated grounds.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the civil nature of dispute with lack of material for the offences



mentioned in the FIR, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Siwan, District-Siwan/ court concerned in connection with Pachrukhi P.S. Case No. 08 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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