

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58831 of 2022

Arising Out of PS. Case No.-223 Year-2022 Thana- LADANIA District- Madhubani

SHIV PRAKASH SINGH @ SHIV PRAKASH S/O RAJDEO PRASAD
SINGH @ RAJ DEV PD. SINGH Resident of village- Bhagwanpur,
Sahajanand Colony, P.S.- Sadar, District- Muzaffarpur. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore
For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 365 of the Indian Penal
Code.

As per allegation in the FIR, petitioner has provided
his Hyva Truck on rent to the brother of the informant and with
regard to transaction of money there was some dispute between
them, for which, petitioner visited the informant's brother
several times. On 17.7.2022 petitioner accompanied informant's
brother on the alleged vehicle to Muzaffarpur, from where he
did not return back. On 20.7.2022 informant's brother called
upon on his nephew's mobile number that petitioner has
confined him for debt recovery. Then the present FIR has been
lodged by the informant against the petitioner.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. In fact, with a view to usurp the dues money i.e. more than ten lakh, the informant has trapped the petitioner by filing false case against him. Alleged occurrence took place on 17.7.2022 but the FIR has been lodged after a delay of five days without any sufficient reason. Petitioner has no criminal antecedent and he is languishing in judicial custody since 23.7.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhubani in connection with Ladaniya P.S. Case No. 223 of 2022.

(Sunil Kumar Panwar, J)

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