

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55206 of 2022

Arising Out of PS. Case No.-454 Year-2022 Thana- KHAGARIA District- Khagaria

SONU KUMAR S/o Kailash Singh @ Kailash Prasad Singh R/o Mansi,
Jagriti, Tola, P.S.- Mansi, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 420, 467, 468, 471 and 386 of the Indian Penal Code.

As per the prosecution case, the informant opened a computer centre and the petitioner started helping to run computer center. The petitioner took Rs. 6 lakh as loan from the informant to expand the computer center and the petitioner promised to give 50 per cent share to the informant. Thereafter,



the petitioner did not return the money of the informant. The petitioner called for a Panchayat in which the petitioner wrote an Ekrarnama to return the money and also ready to give benefit of the business to the informant but the petitioner Sonu Kumar neither returned Rs. 6 lakh nor vacated the 50 per cent place of computer center and did not give any kind of benefit to the informant.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. Learned counsel for the petitioner placed reliance on the judgment in the case of **Bimla Tiwari vs. State of Bihar & Others (Special Leave Petition (CRL.) Nos. 834-835 of 2023)** at para 10, the Hon'ble apex court has held that "we would reiterate that the process of criminal law cannot be utilized for arm-twisting and money recovery, particularly while opposing the prayer of bail."

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 454 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

