

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57815 of 2023

Arising Out of PS. Case No.-212 Year-2023 Thana- ARARIA District- Araria

Rupesh Yadav @ Rupesh Kumar Yadav S/O Basudeo Yadav R/O Village
Bishanpur P S Jalalgarh Distt – Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Araria P.S. Case No. 212 of 2023, registered on 06.03.2023 for the offences under Sections 364, 365, 367/34 of the Indian Penal Code.

3. As per prosecution case, the brother of the informant was abducted by the petitioner and co-accused Abhinandan Yadav on dispute over payment of money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No occurrence as alleged has ever taken place. The true fact of the case is that this petitioner and brother of the



informant namely, Lalan Yadav entered into a contract with Railway and this petitioner invested Rs.4,50,000/- and petitioner expected share of 50% in the profit from Lalan Yadav which he was denying to pay to the petitioner for which co-accused Abhinandan Yadav called the brother of the informant asking him to make payment but at no point of time brother of the informant was abducted. The informant and his family members have developed a story to grab the money of the petitioner. It is also apparent from the record that no payment has been made to the petitioner or tge co-accused. For a simple case of business dispute the informant has given it the colour of serious criminal offence. The petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner and co-accused for abduction of the brother of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of false implication in a business dispute, 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 Chief Judicial Magistrate, Araria/concerned court in connection with Araria P.S. Case No. 212 of 2023, subject to the condition 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)

DKS/-

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

