

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60243 of 2023

Arising Out of PS. Case No.-38 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Rajeev Kumar Jha @ Rajeev Jha S/O Late Amarnath Jha R/O Village-
Dharha, P.S- Rosera, Distt.- Samastipur.

... .. Petitioner

Versus

1. The State Of Bihar
2. Mahendra Mishra S/O Late Rampalit Mishra R/O Village- Sobhnath Patti,
P.S- Ashok Paper Mill, Distt.- Darbhanga.

... .. Opposite Partys

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate Mr. Ritwik Thakur, Advocate Ms. Vaishnavi Thakur, Advocate
For the Informant	:	Mr. Ajit Kumar, Advocate Mr. Dinkar Kumar, Advocate
For the State	:	Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 38 of 2020 registered for the offences punishable under Sections 406 and 417 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioner is that he along with other co-accused persons after making conspiracy with each other taken Rs. 9,27,830/- from



the complainant and his wife in the name of providing tractor and the said tractor has been sanctioned in the name of accused No. 3 Lila Devi.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case, accused No. 2 and 3 are the Sala and Sarhoj of the complainant and the petitioner is a dealer of the tractor. The tractor was purchased in the name of Lila Devi who has taken loan from the bank and the said vehicle was purchased in the year, 2015 and the entire loan amount was paid in the year 2019. He was not involved in any conspiracy as alleged by the complainant. Petitioner has one criminal antecedent.

5. Learned counsel for the complainant as well as learned APP vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the



concerned Court where the case is pending in connection with
Complaint Case No. 38 of 2020, subject to the conditions as laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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