

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57570 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- BEUR District- Patna

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Rajeev Nayan @ Raju Singh Son of Late Nunu Sharma Resident of Village-
Gingi, P.S.- Ghosi, District- Jehanabad presently residing at Mohalla-
Jaiprakash Nagar, (Sipara), P.S.- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Beur P.S. Case No.127 of 2022 instituted under Sections
323, 341, 342, 365, 379, 504 and 506/34 of the Indian Penal
Code.

As per the prosecution story, the informant alleged
that he was abducted at Karbigahiya Station and taken to the
house of the present petitioner, got Rs.10,000/- transferred from
his account to the account of one Niranjan. He has stated in the



F.I.R. that he had taken Rs.34,000,00/- from the accused side and returned only Rs.13,40,000/- and there was a dispute regarding the transaction of the amount which the informant was ready to return in four installment.

Learned counsel for the petitioner submits that he had no role to play in the matter inasmuch as he had not given the any amount. Further, only for the negotiation purpose between informant and the accused a common place (his home) was used and in that way his implication came.

Further, from the FIR, it shows that the informant owe Rs.34,000,00/- to the accused persons of which he had paid only Rs.13,40,000/-. The last submission is that subsequently they have filed joint compromise petition in the court of learned A.C.J.M., IIIrd, Patna.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that his room was allegedly used to keep the informant.

Considering the aforesaid fact that he do not have criminal antecedent, the main allegation is against other accused persons, from the FIR itself, there is story of some transactions between the accuseds and the informant and subsequently they have also come to the compromise table, so far as the petitioner



is concerned, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Beur P.S. Case No.127 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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