

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64071 of 2023

Arising Out of PS. Case No.-574 Year-2021 Thana- COMPLAINT CASE District- Supaul

1. Sikandar Paswan @ Sikendra Paswan S/O Ramswarup Paswan Resident Of Village Dumri Police Station Raghapur, Dist- Supaul
2. Yogeshwar Paswan @ Jugeshwar Paswan @ Jageshwer Paswan Son Of Yogi @ Jogi Paswan Village- Saraigarh, Ps- Kishanpur, Dist-Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishan Sah Son Of Paltan Sah Village- Andauli, Ps- Kishanpur, Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arun, Advocate
For the Opposite Party/s	:	Mrs.Sharda Kumari, A.P.P
For the Informant/s	:	Mr. Arun Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 21-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

3. The petitioners are apprehending their arrest in connection with Complaint Case No. 574C of 2021 dated 06.10.2021 registered for the offences punishable under Sections 420, 406, 467, 468, 471, 341, 323, 379, 504, 506/120B read with 34 of the Indian Penal Code.



4. As per the prosecution case, the allegation against the petitioner and the co-accused persons is of taking Rs. 2,05,000/- out of total amount of Rs. 4,25,000/- in guise of selling tractor. Further, the accused persons neither returned the money nor sold the tractor to the complainant.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has submitted that the complainant has not filed any agreement to sale with regard to the alleged tractor. The complainant did not file any document showing that the petitioners had received the said money from the complainant hence, u/s 420 is not made out.

6. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Court



concerned, Supaul in connection with Complaint Case No. 574C of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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