

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67004 of 2023**

Arising Out of PS. Case No.-215 Year-2022 Thana- VIJAYEPUR District- Gopalganj

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Raju Shrivastava @ Sinha Son of Hridya Lal Sinha Resident of Village-
Majhwaliya, P.S.-Bijaipur, District-Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Bijaipur P.S. Case No. 215 of 2022 registered for the offences punishable under Sections 323, 420, 406, 504, 506 and 379 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 03.02.2021, this petitioner and one other co-accused went to the house of informant and demanded Rs. Five lakhs as help with an assurance that the same shall be returned within a year. The informant gave Rs. 3,50,000/- in cash and a locket worth Rs. 50,000/- to this petitioner. It is alleged that even after passing of one year, the said money has not been returned to the informant

and when he had gone to the petitioner's house for demanding his money, he was assaulted.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that it is difficult to believe that the informant would have given such a huge amount to the petitioner without creating any documentary evidence. It is further submitted that it is only a ploy of the informant to extract money from the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case, nature of the allegations in which the submission is that the case is false and flimsy and it is difficult to believe that such kind of transactions may take place, the petitioner has otherwise no criminal antecedent, in the circumstances, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Bijaipur P.S. Case No. 215 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj

subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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