

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.397 of 2023

Arising Out of PS. Case No.-51 Year-2022 Thana- GURARU District- Gaya

MAHENDRA PRASAD CHAURASIYA Son of Late Prayag Prasad
Chaurasia Resident of Village- Mathurapur, P.S.- Guraru, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Veer, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 406/420/506/120(B) of the IPC.

The allegation against the petitioner is that he along with
other accused persons took money from the informant for sell of
bricks of their kiln but later on refused to collect the bricks.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and
omnibus in nature. The specific allegation is against the co-
accused Narendra Kumar @ Sadhuji to whom the informant has



given money. It is submitted that informant, petitioner and other accused persons were partner in K.P.s. Industry, Mangrawa brick kiln and there is a partnership dispute between the parties. It is further submitted that the alleged occurrence has taken place on 30.12.2021 but the F.I.R. was lodged on 07.04.2022 i.e. after delay of more than four months, without giving any plausible explanation, which itself creates doubt about the prosecution case. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Guraru P.S. Case No.51 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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