

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71739 of 2022

Arising Out of PS. Case No.-215 Year-2022 Thana- SHEOHAR District- Sheohar

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Kumar Sanjay S/O Shri Ram Chandra Sah Resident of village- Chhota
Bariyarpur, Hawaii Adda Chowk, Sugar Milk Road, Motihari, P.S.- Chhatauni,
District- East Champaran, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harishankar Kumar Soni, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and Mr. Ram
Sevak Choudhary, learned APP for the State.

Petitioner in the present case is seeking pre-arrest bail
in connection with Sheohar P.S. Case No. 215 of 2022
registered for the offences under Sections 406 and 420 of the
Indian Penal Code. The petitioner has no criminal antecedent.

As per the prosecution story, the informant namely
Gajendra Kumar Singh alleged that on 19.06.2021, the operator
of M/s G.M. Sounds, Motihari (this petitioner) requested him to
give his generator on rent. The informant said that the petitioner
had already due amount of Rs. 34,000/- with him and asked him
to pay the amount first. Also, whenever the informant asked him
to return his money and generator, he asked for some more time.
The informant has alleged that total Rs. 2,23,000/- is pending to



be paid by the petitioner to the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the accusation leveled against the petitioner is frivolous and baseless and he has no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the submissions that the FIR in question has been lodged for realization of the rent of the generator which was allegedly given to the petitioner on hire basis by the informant, this Court grants bail to the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Sheohar P.S. Case No. 215 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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