

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75840 of 2023

Arising Out of PS. Case No.-675 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Amod Kumar Tiwari @ Nitesh Kumar Tiwari Son Of Kashinath Tiwari R/O
Village- Pakarihar, P.S.- Kumar Bagh O.P. (CHANPATIA), Dist.- West
Champaran, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. LALJI YADAV S/O DEVSHARAN YADAV R/O VILLAGE- SISWANIYA,
P.S- LAURIYA, DISTT.- WEST CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sujeet Kumar, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Bettiah P.S. Complaint Case No. 675C of 2019
dated 12.06.2023 registered for the offences punishable u/ss
323, 342, 379, 420 and 504 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is the
driver in the Circle Office and he took Rs. 5,00,000/- from the
Complainant to get the revenue receipt available but he could
not provide the receipt and in place of revenue receipt he got a
forged receipt along with correction letter available to the



Complainant.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner never took the money from the Complainant and also there is no proper document submitted by the Complainant about his claim against the petitioner. Learned counsel has further submitted that the cognizance has been taken against the petitioner under Sections 323, 342, 379, 420 and 504 of the Indian Penal Code by the learned Magistrate and there is no enquiry left in this case. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bettiah, West Champaran in connection with Bettiah Complaint Case No.



675A(C) of 2019, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition : (i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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