

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74935 of 2022

Arising Out of PS. Case No.-749 Year-2022 Thana- PURNEA SADAR District- Purnia

AMAN KUMAR PASWAN @ AMAN KUMAR SON OF
SATYANARAYAN PASWAN @ SATYA NARAYAN PASWAN R/O IMLI
PATTI, WARD NO.37, GULABBAGH, P.S.- SADAR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Fazle Karim, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 03-05-2023 Heard learned counsel appearing on behalf of the parties.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioner is named in the F.I.R. and apprehend his arrest in connection with Purnea Sadar P.S. Case No. 749 of 2022 registered for the offences punishable under Sections 406 and 420/34 of the Indian Penal Code.

The allegation against the petitioner is to cheat informant, as not to deliver the goods through his truck bearing BR 11L 6408 even after receiving the hiring charge of Rs. 13,700/- from informant.

Learned counsel appearing on behalf of the petitioner



submitted that implication of petitioner is false for the reason that when petitioner raised a demand regarding previous dues from informant being owner of the truck, the present false case was lodged. It is submitted that informant is a transporter with whom petitioner generally provide his trucks for hiring. It is also pointed out that present FIR was lodged with an unexplained delay of about 16 days, suggesting only an afterthought and false implication. It is also submitted that co-accused, Raja Kumar Singh @ Raja Singh, has already granted privilege of anticipatory bail by learned Court below itself. While concluding the argument, it is submitted that the petitioner is a man of clean antecedent.

Learned APP for the State, opposes the prayer of bail.

Considering the aforesaid facts and circumstances of the case, as FIR was lodged after delay of 16 days without any just explanation against this petitioner, where, he is a man of clean antecedent let above named petitioner, in the event of his arrest or surrender before learned court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea /concerned Court, where the case is



pending in connection with Purnea Sadar P.S. Case No. 749 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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