

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12692 of 2024

Arising Out of PS. Case No.-341 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Rahul Kumar Gupta @ Rahul Kumar S/o Naresh Sah R/o Vill - Rahimpur
Rudauli, P.S. - Samastipur Muffashil, Dist. - Samastipur (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anoj Kumar S/o Julium Das R/o vill - Mohanpur, P.S. - Samastipur
Muffasil, Distt. - Samastipur, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Madhav Kumar, Advocate
For the State	:	Mr. Manoj Kumar, APP
For Opposite Party No. 2:	:	Mr. Shailendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 19-06-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 406, 420, 120B, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, allegation against this petitioner is that he sold a tempo bearing Registration No. BR33P4947 in favour of the complainant upon receiving consideration amount of Rs. 49,000/- but thereafter, even after several requests, the ownership of the vehicle was not transferred in the name of the complainant. It is further alleged that thereafter, this petitioner, along with other miscreants, illegally snatched the tempo from the complainant.



4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has falsely been implicated in his case. As a matter of fact, the complainant had agreed to pay the loan amount to the finance company and only after payment of the loan the ownership could have been transferred. It is further submitted that due to non-payment of the loan, the finance company has seized the alleged vehicle and thereafter, this false and concocted case has been lodged by the complainant for extorting money. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class-cum-Additional Munsif, Samastipur, in connection with Complaint



Case No. 341 of 2022 (T.R. No. 997 of 2023), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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