

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5565 of 2024**

Arising Out of PS. Case No.-316 Year-2023 Thana- PALIGANJ District- Patna

Jay Kumar Sav @ Jay Kumar Prasad Son of Ram Vilas Prasad @ Ram Nivas Sav Resident of village and P.O.-Banauli Khurd, P.S.-Khirimore, Distt-Patna at present R/O Mohalla Baba Boring Road, P.S.-Paliganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shadwal Harsh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      17-02-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Paliganj P.S. Case No. 316 of 2023 dated 11.06.2023, instituted for the offence punishable under Section 420/34 of the Indian Penal Code.

3. As per the prosecution case, in short, the petitioner who is Gotiya of the informant along with his son, namely, Vivek Kumar took Rs. 80,000/- cash from him a year ago in presence of his brother, namely, Lalmoham Sav for getting him a home guard job. It is further alleged that on 05.06.2023, he went to ask for his money then both the petitioner and his son refused to return his money and started abusing him and threatened to kill.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is further submitted that both the parties are close Gotiyas and due to family dispute, this case has been filed. It is further submitted that there is no evidence on record to show that he has taken Rs. 80,000/-. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Paliganj P.S. Case No. 316 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Danapur, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

aditi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

