

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16153 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Mahesh Kumar S/o- Sakaldeo Yadav Village- Milkichak, P.S. Nayaramnagar,
Dist. Munger

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rekha Devi W/o Dinesh Yadav R/o vill - Milkichak, P.s.- Nayaramnagar,
Distt. - Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sanjeev Ranjan, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary, A.P.P.
	Mr. Tarkeshwar Pd. Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-07-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 406, 420 of the Indian Penal Code.

3. As per the F.I.R., it is alleged that this petitioner who is co-villager of the informant, took loan of Rs. 2,08,000/- from the informant for the purpose of treatment and thereafter, refused to return the same. It is further alleged that when the informant demanded her money, this petitioner assaulted her.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. The informant has not produced any evidence in support of the prosecution



case. No date and time or mode of payment is mentioned in the F.I.R. Allegation against the petitioner is vague and general without any specific details regarding the mode and manner of payment and at best, it is a case of breach of contract which does not amount to criminal offence. Petitioner claims clean antecedent.

5. Learned counsel for the O.P. No. 2 vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Munger in connection with Nayaramnagar P. S. Case No. 229 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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