

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11620 of 2023

Arising Out of PS. Case No.-579 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Amresh Kumar @ Chand Kumar @ Amresh Kumar Singh Son Of Late
Umesh Prasad Singh @ Late Umesh Singh Resident Of Village - Koriya, P.S.-
Muffasil, District – Begusarai Petitioner

Versus

1. The State of Bihar
2. Usha Devi Wife of Sri Ram Mahto Resident of Village - Killi, P.S.- Muffasil,
District – Begusarai Opposite Party

Appearance :

For the Petitioner : Mr. Randhir Kumar No.1, Advocate
For the Opposite Parties : Mr. Shyam Kumar Singh, A.P.P.
Mr. JP Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-09-2024 Heard learned counsel for the petitioner, the State and
opposite party no.2.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 341, 323, 406 and 420
of the Indian Penal Code.

3. As per the prosecution case, on the persuasion of
the petitioner, complainant opened account in the Grahak Seva
Kendra in 2016 and kept on depositing money. After sometime,
when she tried to withdraw Rs.15,000/- from the said account, it
was told that she has already withdrawn the said amount. Thus,
the petitioner, with the aid of other accused persons,
fraudulently digested the deposit of the complainant.

4. Learned counsel appearing for the petitioner,
referring to the bank statement (annexure 2) submits that the
complainant opened account in S.B.I Grahak seva Kendra on
01/01/16 and she regularly made deposit and withdrawal of the
amount till 19/7/17 but thereafter no deposit was made by her.
Besides this, from perusal of the complaint, it appears that the
date of occurrence is 2/4/2019 and complaint was filed on



12/4/19 with false and concocted story. Allegation of marpit and abuse is exaggeration. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as the opposite party no.2 oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, 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 the Chief Judicial Magistrate, Begusarai in Complaint Case No. 579C/2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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