

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19229 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- MANER District- Patna

Piyush Kumar Son of Ramesh Halwai @ Ramesh Prasad Resident of near
Sarkari Hospital, P.O.-Maner, P.S.-Maner, Distt.-Patna. At present Resident of
Maner Kathara, Beside late Abhay Mahto, P.O. and P.S.-Maner, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Raj

For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 31-07-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Maner Police Station Case No. 182 of 2023, dated
05.03.2023, disclosing offences under Sections 379/34 of
the Indian Penal Code.
3. The prosecution case, as per the First Information Report,
is that the informant has alleged that on 27.07.2023, the
informant had parked his motorcycle in the underground
parking of his brother's house and the motorcycle of the
informant got missing the next morning. The co-accused
Saroj Rai @ Mangal Pandey assured that the stolen
motorcycle shall be returned to the informant if he



transfers a sum of Rs. 15,000/- through Phonepay on the mobile no. 78710013800, which belongs to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to some dispute regarding purchase of sweets from the shop of the petitioner. The informant resides in the same locality and used to visit petitioner's shop regularly. He next submits that the statement of account has been annexed, along with supplementary affidavit, which will show that a sum of Rs. 15,000/- was never credited during the period from 27.02.2023 to 05.03.2023 in the bank account of the petitioner through Payphone.
5. Learned counsel for the State submits that in the case diary there is no material to show that a sum of Rs. 15,000/- was transferred in the bank account of the petitioner through Phonepay.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there is no prima facie proof of payment through Phonepay in the account of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.



8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Danapur, in connection with Maner Police Station Case No. 182 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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