

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23400 of 2024

Arising Out of PS. Case No.-245 Year-2022 Thana- TARAIYA District- Saran

Manoranjana Kumar @ Manoranjana Kumar Singh @ Mukul, aged about 28 years (Male), S/O Bhushan Singh @ Shashi Bhushan Singh, R/O Village-Pachraur, P.S- Taraiya, Distt.- Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nalin Kumar, Advocate
For the Opposite Party : Mrs. Rina Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 23-04-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Taraiyan P.S. Case No. 245 of 2022 dated 17.07.2022 registered for the offences punishable under Sections 379 and 420 of the I.P.C.

3. As per the prosecution case, on 28.06.2022, the petitioner dishonestly withdrew Rs. 49,000/- from the Paytm Account No. 916239847808 of the informant. The mobile of the informant had Jio Sim and the same Jio Sim was ported by the petitioner in Airtel which was in the name of some unknown person. Thereafter, the petitioner recovered Paytm Account from his own mobile and after using forget password, sent Rs.



20,000/- in the account of Pappu Kumar Verma, Rs. 20,000/- in the account of Dilip Kumar and Rs. 9,000/- in the account of Pawan Kumar, (total the aforesaid amount Rs. 49,000/- through OTP). It is further alleged that on 30.06.2022, the informant applied an application in Cyber Cell for holding the aforesaid amount on which he held Rs. 33,119/-. When the informant went to the house of the petitioner for inquiry with regard to the aforesaid fact, his father took lathi and threatened to kill him and also refused to return the said money.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner and the informant are the co-villagers and a civil dispute is going on between the parties and due to that reason, the informant has filed the present false case against the petitioner. It is further submitted that a prayer is made before the police for recovery of the said amount as per the F.I.R. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran in connection with Taraiyan P.S. Case No. 245 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

- I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.
- II. If the petitioner is found involved in any other similar nature of case in future, the prosecution will have liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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