

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25514 of 2024

Arising Out of PS. Case No.-621 Year-2023 Thana- DHANARUA District- Patna

Sanjeev Kumar Son Of Manoj Kumar Singh Residence Of Village- Sundarpur
P.O.- Nadwan Ps- Dhanarua Dist- Patna

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Rahul Kumar Son Of Sharvan Kumar Resident Of Village- Miyachak, Ps-
Dhanaura, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshman Jha, Adv.
For the State : Mr. Arvind Kumar Pandey (App.84)
For the Informant : Mr. Dilip, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-07-2024 Heard learned counsel for the petitioner, the State and
the informant.

2. The petitioner is apprehending arrest in connection
with Dhanarua P.S. Case No. 621 of 2023 instituted under
Sections 419, 420, 406 of the Indian Penal Code lodged on
29.9.2023 by the informant, Rahul Kumar.

3. As per the prosecution story, the informant alleged
that a sum of rupees 12,00,000/- was taken away as a loan but
on demand, the petitioner' father refused to pay. The further



allegation is that a Panchayati took place and decision was taken that the loan will be returned but again despite putting in signature, the payment was not made. Left with no option, the FIR.

4. Learned counsel for the petitioner submits that a bare perusal of the FIR would show that his father Manoj Kumar Singh had taken the amount, his implication has come only because in the alleged panchayati took place subsequently (Annexure-2) on 14.04.2023, along with his father he has put in his signature. The further submission is that the bail of application of his father has already been rejected in Cr. Misc. No. 16287 of 2024 vide order dated 18.04.2024.

5. On the other hand, learned counsel for the informant opposes the prayer of bail submitting that he was also a signatory to the panchayati where the accused undertook to make the payment but failed.

6. Though, the name of the petitioner is here, the fact remains that the amount has been taken by this father Manoj Kumar Singh whose anticipatory bail has already been rejected as stated above. The petitioner does not have criminal antecedent and will be ultimately facing the trial.

7. Let the petitioner, above named, in the event of



arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Judicial Magistrate-1st Class, Masaurhi, Patna in connection with Dhanarua P.S. Case No. 621 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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