

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38420 of 2024

Arising Out of PS. Case No.-49 Year-2021 Thana- PALANWA District- East Champaran

Suraj Kumar S/O Late Kishore Prasad @ Late Kishori Prasad R/O Village- Arya Samaj Road, Ward No.10, P.S.- Raxaul, Dist- East Champaran At Present R/O Village- Mani Kunj Road, 239, Rajiv Nagar, Po And P.S.- Patna, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ambuj Raj @ Mukul Chaudey S/o Bindu Chaubey Resident of Village- Jaitapur, P.S.- Palanwa, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. As the opposite party no. 2 has refused to accept the notice, let it deemed to be valid service of notice upon opposite party no. 2.

3. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 406, 420, 467, 468, 471, 307, 323, 324, 384, 387, 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per FIR, informant's father gave Rs. 2,80,000/- to the petitioner for executing a sale deed for sale of his vehicle. Thereafter, the informant came to know that loan amount is still



dues against the vehicle and approached the petitioner regarding the loan amount. On 07.10.2020, when the informant was returning from the house of this petitioner, in the way, petitioner along with two unknown persons stopped him and assaulted him and also demanded Rs. 50,000/- as Rangdari.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner has not cheated the informant. He further submits that at the time of oral talk regarding sale of petitioner's car, it was agreed that Rs. 75,000/- will be paid to the petitioner by the informant's father and loan amount against the vehicle will be paid by the informant himself. The informant's father took possession of the vehicle, but he never tried to repay the loan EMI. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

6. Learned APP for the State opposes the prayer for bail.

7. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Palanawa P.S. Case No. 49 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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