

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42289 of 2024**

Arising Out of PS. Case No.-513 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

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Laxman Mandal Son Of Late Ram Punit Mandal Resident Of Village -  
Ramaul, P.S. - Hathauri, District - Samastipur, Presently Residing At House  
No. A-131, Gauri Shankar Enclave, 1st Prem Nagar 3rd Kirari, P.S. - Suleman  
Nagar, Delhi

... .. Petitioner/s

Versus

1. The State of Bihar
  2. Ram Varan Mandal Son Of Ram Udgar Mandal Residing At Village -  
Gangarahi, P.S. - Hathauri, District - Samastipur (BIHAR)
- ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      26-10-2024                      Heard Mr. Vinay Kumar Mishra, learned counsel for  
  
the petitioner and mr. Bhanu Pratap Singh, learned APP for the  
  
State.

2. The petitioner is apprehending his arrest in  
connection with Complaint Case No. 513 of 2023, dated  
14.07.2023 registered for the offences punishable under  
Sections 420, 406, 323 & 504 of the Indian Penal Code.

3. Allegation against the petitioner is that he had taken  
money amounting to Rs. 4,00,000/- from the Complainant as a  
loan but the did not return.

4. Despite of valid service of notice, no one appears  
on behalf of the Complainant (Opposite Party No. 2).

5. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the Complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact the complainant is brother-in-law of the petitioner and his sister namely Chanda Devi has purchased a piece of land through registered sale deed on 11.06.2022 and the Complainant had given money amounting to Rs. 4,00,000/- to the petitioner and when the complainant has asked to return the money then the petitioner has refused to return the aforesaid amount then the complainant has filed the present false case against the petitioner.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one.

7. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Rosera, Samastipur in



connection with Complaint Case No. 513 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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**(Rajesh Kumar Verma, J)**

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