

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57131 of 2024

Arising Out of PS. Case No.-248 Year-2024 Thana- DIGHA District- Patna

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Krishna Kumar @ Krishna Prasad @ Krishna Son of Lala Prasad R/O Bazar
Samiti, Sandalpur Near Gangajal Hospital, P.s.- Bahadurpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Digha P.S. Case No. 248 of 2024 registered on 25.04.2024 for the alleged offences under Section 379, 406 and 34 of the Indian Penal Code.

03. As per prosecution case, the petitioner, who has been running catering service in a banquet hall, on pretext of helping the informant in carrying his goods to his third floor house, committed theft of a suit case in which the ornaments were kept.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner runs a catering service and entered into an agreement with the informant for making arrangements for lunch



and dinner of 2,000 to 2,500 persons but altogether 4,500 persons participated and the informant agreed to pay the excess amount to the petitioner but when the petitioner demanded the money, some hot exchange of words took place and the informant refused to make the payment and lodged this false case after three days of the alleged occurrence in order to falsely implicate the petitioner who is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the possibility of false accusation in the background of the dispute of the parties, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Patna in connection with Digha P.S. Case No. 248 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain



present on each and every date
fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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