

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54786 of 2023

Arising Out of PS. Case No.-1617 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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MANOJ KUMAR JHA Son of Baldeo Jha R/o Village-Sangat, P.S.-
Bhagwanpur, District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. JITENDRA KUMAR S/o Mahendra Prasad Singh R/o Village-Sarvoday
Nagar, Ward No. 40, P.S.-Town, District-Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Braj Bhushan Poddar
For the Opposite Party/s	:	Mr. Bharat Lal
For the Complainant	:	Mr. Chandan Kumar Kashyap

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner, learned counsel

for the complainant as well as learned Additional Public

Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered

for the offence punishable under Sections 323, 406, 504 of the

Indian Penal Code.

3. Allegedly, the petitioner took a loan of Rs.4,00,000/-

from the complainant and assured him to return the same in one

year. It is further alleged that after completion of one year, the

complainant demanded his money back, petitioner sent

Rs.1,30,000/- in the account of complainant's sister-in-law.

When the complainant demanded the remaining amount,



petitioner threatened to implicate him in a false case.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. He further submits that the fact of the case is that the petitioner was cheated by the sister-in-law of the complainant. The sister-in-law of the complainant took Rs.2,00,000/- from the petitioner in order to provide a job to his son but no job was provided to the petitioner's son and neither his money was returned. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering that this is a case of money/civil dispute between the parties, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Begusarai
Complaint Case No.1617C/2022, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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