

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64048 of 2024

Arising Out of PS. Case No.-148 Year-2016 Thana- CHAPRA TOWN District- Saran

Sunil Kumar Son of Late Lal Babu Prasad Resident of Mohalla - Imamganj,
Sahebganj, P.S. - Chapra Town, District - Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anirudh Prasad Son of Late Durga Prasad Resident of Village - Dahiyaba,
P.S. - Chapra Town, District - Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-10-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Chapra Town PS case no. 148 of 2016, disclosing
offences punishable under Sections 406, 420, 120(B) of the
Indian Penal Code.
3. The prosecution story, as per the First Information
Report, is that informant used to give loan to the petitioner and
other accused persons for the purpose of running their business
and other purposes. It has further been alleged that prior to the
lodging of the case, the informant demanded money from the
petitioner and others but they refused to refund the same and



fled away from Chapra.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case in abuse of the process of criminal court, inasmuch as for recovery of loan amount, instead of taking recourse to the civil/ money suit, the F.I.R. has been lodged by the informant. Learned counsel further submits that false F.I.R. has been lodged for putting pressure upon the petitioner to part away from his property, situated at Chapra. He also submits that the petitioner was not aware about the lodging of the First Information Report and he was doing his business outside of Bihar i.e. in Gujarat. Learned counsel also submits that one of the co-accused namely Anil Kumar, who is the brother of the petitioner, has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 05.05.2016, passed in Cr. Misc. No. 19929 of 2016.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that co-accused person has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.



7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town PS case no. 148 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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