

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71732 of 2023

Arising Out of PS. Case No.-440 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Arjun Kumar Son Of Basanti Shah Resident Of Village- Balwa, Po-
Damodarpur, Ps- Pipra, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-01-2024 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Town Motihari P.S Case No. 440/2023 dated
22.06.2023 registered for the offences punishable u/ss 419, 420,
465, 467, 468, 471 and 120B of the Indian Penal Code.

4. As per the prosecution case, in the light of letter no.
1666 dated 02.06.2023 at Director Industry Department. It is
alleged that Anushkha Enterprises Application No. CNYUVA
20217250594947 for the project of "Aata, Sattu and Besan"



production belongs to the petitioner who got Rs. 10 lacs in three installments but during inquiry it was found that the voucher was not original, as such, the petitioner has cheated the government using a forged voucher.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has submitted that the petitioner has not misappropriated the Government money rather he has purchased the required machines from the money received. No offence u/s 420 of the I.P.C. is made out against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran at Motihari in connection with Town Motihari P.S Case No. 440/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further



condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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