

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70884 of 2023

Arising Out of PS. Case No.-426 Year-2022 Thana- CHAKIA District- East Champaran

Tarun Singh Son of Late Krishna Kumar Singh @ Krishna Singh R/o Mohalla
- Rambagh, Nakalua Chowk, P.S. - Mithanpura, Distt. - Muzaffarpur (Police
Station of Petitioner Wrongly mentioned in the F.I.R. as Kazi Mohammadpur)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 19-03-2024 1. Heard learned Counsel for the petitioner and learned
APP for the State.
2. This application, for grant of anticipatory bail, arises
out of Chakia PS case no. 426 of 2022, disclosing offences
punishable under Sections 420, 409, 120(B) of the Indian Penal
Code.
3. The prosecution story, as per the First Information
Report, is that the petitioner introduced co-accused Vijay
Kumar Singh with the informant. On the assurance of the
petitioner, the informant supplied certain materials worth
Rs. 21,97,000/- to co-accused Vijay Kumar Singh. Towards
payment of the cost of materials, both the accused persons came
and co-accused Vijay Kumar Singh gave a cheque of Rs. 5 lacs to
the informant and the same has been encashed. When the



informant demanded the balance amount, the same has not been paid and even the security cheque, which was furnished by the accused persons as a guarantee before the informant, got dishonoured due to instruction of stop payment.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case without any material, inasmuch as the only allegation against the petitioner is that he introduced co-accused Vijay Kumar Singh with the informant. Informant entered into business transactions with co-accused and during course of business, informant supplied certain materials and part payment of Rs. 5 lacs was made by the said Vijay Kr. Singh. According to the informant, rest amount has not been paid. He also submits that allegation made in the FIR gives rise to a dispute regarding business transaction between co-accused and the informant. Neither any cheque was issued by the petitioner in favour of the informant nor any material was supplied to the petitioner.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that supply of the goods were made by the informant in favour of co-accused Vijay Kumar Singh and not to the petitioner, 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 four 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 C.J.M. East Champaran at Motihari in connection with Chakia PS case no. 426 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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