

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3816 of 2023

Arising Out of PS. Case No.-221 Year-2016 Thana- COMPLAINT CASE District- Jamui

ONKAR PRASAD SINGH @ ONKAR SINGH S/O Saudagar Singh R/O
Village- Punakheera, P.S- Khaira, District- Jamui

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Abhishek Kumar S/O Ram Chandra Bhagat R/O Jayshankar Nagar, Purani Bazar, Jamui, P.O and P.S and Distt.- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajesh Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471 and 120 of the Indian Penal Code as well as Section 138 of the Negotiable Instrument Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the complainant. It is further submitted that from bare perusal of the allegation as alleged in the complaint, it would manifest that the thrust of the allegation is against the son of the petitioner who duped the complainant of his hard earned money in the name of business. It is next



submitted that even the son of the petitioner had issued cheque which on presentation for encashment bounced and when the complainant had gone to demand his money from the petitioner he was threatened not to contact him. It is also submitted that in order to implicate the petitioner, the complainant in the complaint falsely alleged that petitioner had come with his son with the business proposal and induced him to be a partner in the business of his son. It is further submitted that the entire amount, which has been paid by the complainant, has been credited in the account of the petitioner and an amount of Rs.2,97,000/- is also alleged to have been given in cash to the son of the petitioner. It is next submitted that petitioner has been implicated in the instant case only to coerce the son of the petitioner into submission.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but then fairly submits that the thrust of the allegation is against Rupesh Kumar.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten 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 Complaint Case No. 221C of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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