

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77532 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- PIPRA District- East Champaran

Rajeev Kumar S/O Sudhir Kumar Sharma R/O Ucchidih, P.S- Pipra, Distt.- East Champaran, At Presently Residing At Professor Colony, Ward No. 10, Chakia, Bara Chakia, P.S- Pipra, Distt.- East Champaran, Bihar (845412).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s	:	Mr.Prashant Kumar, Adv.
For the informant	:	Mr. Bhavesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Pipra P.S. Case No. 73 of 2023 dated 01.03.2023 registered for the offences punishable u/ss 406, 420, 467, 468 and 471 of the Indian Penal Code.

3. As per the prosecution case, the petitioner are alleged to have withdrew the money from the account of the informant's mother under conspiracy through his mobile number and the said mobile number was connected with the account number. It is further alleged that the informant came to know about the aforesaid incident when he went to Bank after the death of his mother.

4. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The petitioner has no concern with the alleged offence. The informant is own uncle of the petitioner who is continuously trying to grab the ancestral properties of the petitioner hence the petitioner has implicated in this case. It is further submitted that the petitioner is the grandson of the deceased. The incident is alleged to have taken place on 09.07.2020, 10.07.2020 and 27.07.2020 but the present F.I.R. was lodged on 01.03.2023 i.e. after a delay of more than two and half years without any reasonable explanation. Such delay casts doubt on the prosecution case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on 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



in connection with Pipra P.S. Case No. 73 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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