

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1530 of 2024

Arising Out of PS. Case No.-340 Year-2023 Thana- RAJPUR District- Buxar

Hari Shankar Choubey S/O- Late Yognedra Choubey R/O- Village-
Chaubepur, P.S.- Rajpur, Dist.- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Buxar Rajpur P.S. Case No.340 of 2023 registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the petitioner had taken accommodation loan of Rs.3 lacs from the informant on account of marriage of his daughter and when the informant demanded his money, the petitioner refused to return the same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as he has committed no offence as alleged against him. It is

submitted that the petitioner has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case from which it appears that it is a case of non-refund of the accommodation loan said to have been availed by the petitioner from the informant on account of marriage of his daughter, in the nature of the dispute and the fact that the petitioner has no criminal antecedent, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Magistrate, Buxar in connection with Buxar Rajpur P.S. Case No. 340 of 2023/G.R. No.2954 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order

shall not be delayed for purpose of or in the name of
verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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