

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1338 of 2024

Arising Out of PS. Case No.-72 Year-2022 Thana- AUANGARI District- Nalanda

Ravi Paswan, S/O Sudhir Paswan, Village- Baildariyapur, Ps. Ben, Dist. Nalanda.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Aungari P.S. Case No. 72 of 2022 dated 21.08.2022 registered for the offences punishable u/ss 420 and 406 read with section 34 of the Indian Penal Code and u/s 138 of the N.I. Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have come to the house of the informant and stated the informant to help the villagers in purchasing paddy and wheat. They also stated the informant to work as Munshi and he would also be paid for that work but the informant was not given a penny for his said work rather upon



their instigation, the informant got paddy and wheat purchased for villagers. Thereafter, some payments were made to some of villagers according to the fixed price rate of the grains but 45 villagers whose amount 25.5 lacs were not paid by them. However, some of them were handed over bank cheques by the co-accused, Parshuram Paswan which was declared to be dishonored.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner has no concern with the alleged offence rather the specific allegation is against the co-accused, Parshuram Paswan who has given the bank cheques to the villagers which were also declared to be dishonored subsequently. The petitioner is made accused in this case only because of he is the brother-in-law of the co-accused, Parshuram Paswan. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has 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, Hilsa, Nalanda in connection with Aungari P.S. Case No. 72 of 2022, 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 prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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