

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64618 of 2024

Arising Out of PS. Case No.-166 Year-2022 Thana- ATRI District- Gaya

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Dilip Yadav @ Dilip Kumar Son of Rambali Yadav Resident of Village -
Pathalgada (Pathalghatta), P.S.- Buniyadganj, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niraj Kumar, S/O Rajendra Prasad R/O- village- Narawat, P.S- Atari,
District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sanjay Sharma, Advocate
For the State	:	Mr. Nityanand, APP
For Opposite Party No.2 :		Mr. Praveen Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-04-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 25.02.2021 informant had sold 552 quintal paddy at the rate of Rs 1,650/- per quintal to the accused persons named in the F.I.R., including this petitioner and at the time of delivery, accused persons assured payment by 05.09.2021, however, they did not make the payments. Thereafter, informant brought the matter before the Sarpanch of Shadipur Panchayat where the accused persons admitted the fact of purchasing paddy from the informant and



asked for 15 days time for payment of the dues but till date, no money has been paid to the informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner used to work as daily wager at the PACS office in loading and unloading of paddy and informant is Chairman at the PACS Office and when this petitioner demanded his due wages, this false and concocted case has been lodged. It is further submitted that there is no chit of paper on record to substantiate the allegations levelled in the F.I.R.. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Additional Chief Judicial Magistrate-XIII, Gaya in connection with Atri P.S. Case No. 166 of 2022, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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