

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3759 of 2016

Arising Out of PS.Case No. -493 Year- 2013 Thana -KHAZANIHAT District- PURNIA

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1. Vishwjeet Kumar @ Vishwjeet Kumar Singh
2. Gautam Kumar
Both sons of Amaresh Prasad @ Pahalwan, resident of Barauni Dehti
Flag No. 3, near Durga Asthan, P.S.-Teghra, District- Begusarai
..... Petitioner/s

Versus

1. The State of Bihar
2. Md. Gufran Khan, S/o Late Subhan, resident of Mohalla- Line Bazar,
P.S.-K.hat (Sahayak), District- Purnea
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-01-2016 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 406, 467, 468 of the Indian Penal Code.

The prosecution case is that Rs. 13,00,000/- was given to the petitioner no. 1 Vishwjeet Kumar @ Vishwjeet Kumar Singh for getting the daughter of the informant admitted in Medical College. Out of Rs. 13,00,000/- the petitioner has returned Rs. 3,50,000/- but rest Rs. 9,50,000/- was not returned.

Earlier the petitioners were granted anticipatory bail vide Cr. Misc. No. 21999 of 2014 with a condition that the informant will be one of the bailors. Subsequently, the

petitioners have filed Modification Application No. 40134 of 2013 for modification of order dated 03.09.2014 passed in Cr. Misc. No. 21999 of 2014, but the same was also dismissed.

It is submitted by the learned counsel for the petitioners that money was given to petitioner no. 1 and rest amount has already been returned and consequently informant has filed a compromise petition before the learned court below. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Under the circumstances, this Court is not inclined to entertain the present anticipatory bail application.

But in view of the compromise between the parties, it is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with K. Hat (Sahayak) P.S. Case No. 493 of 2013, pending in the court of learned Chief Judicial Magistrate, Purnea.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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