

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61395 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- PARBATTa District- Khagaria

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1. SANJAY PASWAN @ SANJAY KUMAR PASWAN
 2. Basuki Paswan
 3. Sumit Rajan All S/o Mohan Paswan
 4. Rekha Devi @ Rekha Kumari W/o Sanjay Paswan @ Sanjay Kumar Paswan
All R/o village- Sitarampur, P.S.- Sultanganj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Shashi Shekhar Kishore
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-10-2019 Heard both sides.

The petitioners apprehend their arrest in Parbatta P.S. Case No.104 of 2019 registered under Sections 406, 420, 504, 506/34 of the Indian Penal Code.

The informant alleged that Shrawan Kumar and Vivekanand Paswan took Rs.6 lacs for getting him admitted in medical college but they could not be able to get the informant admitted in medical college in the session of 2012-13. When the informant demanded money, Shrawan Kumar and Vivekanand Paswan declined to make payment on one pretext or other. On insistence of the informant, Shrawan and Vivekanand executed a deed acknowledging the acceptance of money and undertook to return the money. Rs.2 lacs was returned but later on the accused persons refused to return the money. It is alleged that petitioner and others threatened the informant.



The learned counsel for the petitioners submits that petitioners were not party. When the informant handed over the money to Shrawan and Vivekanand, the petitioners who happens to be the family members of Shrawan Kumar and Vivekanand Paswan have been made accused in the case. Vivekanand Paswan has already been granted anticipatory bail by order dated 30.07.2019 in Cr. Misc. No.47154 of 2019.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners and the fact that petitioners did not receive any money from the informant and petitioners are alleged to have only threatened the informant on telephone, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. I, Khagaria in connection with Parbatta P.S. Case No.104 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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