

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33306 of 2020**

Arising Out of PS. Case No.-498 Year-2018 Thana- BARH District- Patna

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Prahlad Kumar, S/o Siya Saran Tanti, R/o village- Kazi Chak, Barh, P.S.-  
Barh, District- Patna, Presently resident of Flat No. 402, Aakanchha Radha  
Apartment, Harnichak, P.S.- Beur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Md. Anjum Akhter, Advocate.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

3      19-03-2021                      As prayed for, let the learned counsel appearing for the  
  
petitioner remove the defect(s), as pointed out by the office, within  
  
four weeks of starting of the Court proceeding in physical mode in  
  
normal course.

Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Barh P.S. Case No. 498 of 2018, registered under Sections 419, 420,  
468 and 471/34 of the Indian Penal Code.

The accusation is that Nand Kishore Tanti of village  
Kazi Chak, Barh, came at the house of the informant, Om Prakash,  
and asked to provide the job to him and his brother, saying that his  
brother, Prahlad Kumar (petitioner) and his wife, Richa Kumari have  
high approach and both have engaged several persons in the job, as



his brother, Prahalad Kumar (petitioner) is doing the service in Secretariat, Patna. Thereafter, Nand Kishore Tanti managed to talk informant, Om Prakash, with his brother, Prahalad Kumar (petitioner), who also assured to provide the job, saying that if the job will not be provided, the money will be returned. Thereafter, informant, Om Prakash, came in believe on the statement of Nand Kishore and his brother, Prahalad Kumar (petitioner) and gave Rs.11,00,000/- to Nand Kishore Tanti and his brother, Prahalad Kumar (petitioner). Later on, while Nand Kishore Tanti, handed over a letter for joining on the post of Watchman in FCI but the same letter was not genuine. While the informant, Om Prakash, called to Nand Kishore Tanti but he did not come. When the informant, Om Prakash, went at the house of Nand Kishore Tanti to take his money then his uncle, Baleshwar Tanti and nephew locked him in a room giving threatening to kill him. Thereafter, informant, Om Prakash, approached to Barh Police Station but his case was not registered then he approached to S.D.P.O., Barh.

Learned counsel for the petitioner submits that it would appear from the FIR that the money was taken by co-accused, Nand Kishore Tanti, in fact, petitioner along with his wife and children used to reside at Patna in connection with Secretariat service, but the petitioner, being the brother of Nand Kishore Tanti, has been implicated in the present case with false allegation, so that petitioner give pressure to his brother, Nand Kishore Tanti to return the money



to informant, Om Prakash. Further submission is that Nand Kishore Tanti, brother of the petitioner, is in custody since 22.09.2020, which would appear from paragraph 4 of the supplementary affidavit. It is further submitted that co-accused, Richa Kumari, wife of Nand Kishore Tanti, has already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 05.01.2021 passed in Criminal Misc. No. 25837 of 2020.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, in connection with Barh P.S. Case No. 498 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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