

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68131 of 2021

Arising Out of PS. Case No.-859 Year-2021 Thana- AGAMKUAN District- Patna

1. AMIT KUMAR S/o Pramod Kumar R/o Transport Nagar, Shiv Chak Colony, P.S.- Agamkuan, District- Patna.
2. Mohan Kumar @ Jai Shankar Prasad Singh S/o Late Ramchandra Prasad Singh Resident of Village- Khairwar, P.S.- Rivilganj, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-08-2022 Heard learned counsel for the petitioners and the State. Despite service of notice nobody appears on behalf of O.P. No.2.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 406, 420 of the Indian Penal Code.

As per the prosecution case, pursuant to an agreement for sale the informant advanced Rs. 11,000/- in favour of petitioner No.1. Thereafter it is alleged that Rs. Two lakh was also given to petitioner No.2 for construction of boundary wall and when the informant demanded his money they refused to return the same.



Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case for extorting money from them. As a matter of fact in course of search of land informant deposited Rs. 11,000/- in the account of petitioner No.1 but unfortunately petitioners failed to arrange suitable land for informant which caused annoyance to the informant resulting into institution of the present FIR. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall 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 Additional Chief Judicial Magistrate, Patna City, Patna in connection with Agamkuan PS case No. 859/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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