

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5310 of 2023

Arising Out of PS. Case No.-288 Year-2015 Thana- PARBATTI District- Khagaria

1. Birbal Thakur Son Of Late Ruchi Thakur @ Ravi Thakur R/V- Bhual Chapra, Nauranga, P.S.- Bairiya, District- Baliya (U.P.)
2. Ritesh Kumar Thakur @ Ritesh Thakur Son Of Birbal Thakur R/V- Bhual Chapra, Nauranga, P.S.- Bairiya, District- Baliya (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Learned counsel for the petitioners is directed to correct para-6 of the bail application in course of the day.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 406, 419, 420, 467, 468, 471, 504, 120B of the Indian Penal Code and Section 139 of the N.I. Act.

As per FIR, co-accused Arshad Rizawi and Sneha Malhotra have taken money from informant for admission in Maulana Azad Medical College, Bahadur Sah Zafar Marg, New Delhi and when admission is not done, they gave a cheque of Rs. 9 lakh and 4 lakh to the informant but both cheques were returned due to lack of sufficient balance.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. He submits that as per complaint case no money was given to the petitioners. He submits that the petitioner no. 1 is subordinate staff of the father of the complainant who had requested to the petitioner no. 1 to be witness of this case and after refusal, he has been made accused in this case. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Parbatta P.S. Case No. 288 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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