

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14967 of 2023**

Arising Out of PS. Case No.-1447 Year-2017 Thana- GAYA COMPLAINT CASE District-  
Gaya

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1. Dr. Zewa Izam @ Zeba Ezaz W/O Dr. Neyaz Ahmad Resident Of Mohalla- Alinagar, Tekari Road, P.S. And District- Aurangabad
  2. Dr. Neyaz Ahmad S/O Merazuddin Ahmad Resident Of Mohalla- Alinagar, Tekari Road, P.S. And District- Aurangabad
  3. Mrs. Kalawati Devi W/O Ram Anugrah Narayan Singh Resident Of Mohalla- Ashok Nagar, Road No.- P.S.- Kankarbagh, District- Patna, Bihar
  4. Dr. Shiv Narayan Singh S/O Ram Anuragh Singh @ Ram Anuragh Narayan Resident Of Mohalla- Ashok Nagar, Road No.- P.S.- Kankarbagh, District- Patna, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Rajeev Ranjan S/O Late Nanhku Singh R/V- Gauharpur, P.S.- Khijarsarai, P.O.- Naudiha, District- Gaya at present Bhadani Complex, G.B. Road, P.S.- Kotwali, District- Gaya

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kumar Kaushlendra, Advocate  
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      27-06-2023                      Heard learned counsels for the petitioners and the  
  
State.

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

As per complaint, on demand of these petitioners, for  
the purpose of opening hospital at Patna, the complainant  
deposited Rs. 1,00,000/- (one lac) each in the accounts of



petitioner Nos. 1 and 2 and gave Rs. 2,51,000/- (two lacs fifty-one thousand) to petitioner No. 4. It is alleged that these petitioners did not return the said amount on time for which notice was sent but was not replied.

Learned counsel appearing for the petitioners submits that petitioner Nos. 1, 2 and 4 are ready to refund the entire amount to the complainant. So far petitioner No. 3 is concerned, there is no allegation of any transaction between him and the complainant.

Learned counsel for the opposite party No. 2 submits that if the petitioners refund the aforesaid amount to the complainant, he will not have any objection in grant of bail to them.

Considering the fact that petitioners are ready to refund the amount, this anticipatory bail is allowed and it is ordered that the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, Gaya in connection with Complaint Case No. 1447 of 2017, subject to condition as laid down under Section 438(2) of the



Code of Criminal Procedure as also, the following conditions:-

‘(i) At the time of furnishing bail-bond, the petitioner Nos. 1, 2 and 4 are directed to refund 50% (fifty percent) of the total amount which is said to have been deposited in their respective accounts to the complainant through demand draft.

(ii) Rest amount shall be refunded to the complainant through demand draft in 2 equal installments by each petitioner thereafter within six months. The aforesaid payment shall be subject to the final outcome of the case.

(iii) If the petitioners fail to comply, Court below is at liberty to cancel their bail-bond.’

**(Prabhat Kumar Singh, J)**

Navya/-

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