

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26509 of 2023

Arising Out of PS. Case No.-476 Year-2022 Thana- AGAMKUAN District- Patna

MADHU RANJAN @ MADHU DUTTA S/O- GANESH DUTTA Village-
Barheta Ps- Paras Bigha Dist- Jehanabad Presently- Ram Krishna Nagar Near
Krishna Cold Store Raza Bazar Ps- Town Thana Dist- Jehanabad

... .. Petitioner

Versus

1. The State of Bihar
 2. Dr. Arvind Kumar Director Ishaan International School Kankarbag Patna
- Opposite Parties

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Agamkuan P.S. Case No. 476 of 2022
registered for the offences punishable under Sections 406, 420, 504,
506, 385 of the Indian Penal Code. He has got no criminal
antecedent.

3. As per the prosecution story, a person named
Madhudatta met the informant on road in front of Barria bus stand
and said that he is an unemployed bhumihar and asked him to keep
him as care taker of the land. He said that he will give him 90% of
rent to him and will keep 10% with himself. Madhudatta has taken
Rs. 25,000/- to Rs. 2,00,000/- as advance from dozens of
shopkeepers in his name and has kept Rs. 1.75 lakhs. When the



informant came to know about this, he called and rebuked him. At this, he said that he has given money to police for removing encroachment although this is false and when the informant asked to return the advance taken from poor shopkeepers then, he started abusing and threatening. He gave half of 3-4 months rent to the informant and said that he gives Rs. 25,000/- per month to police and then, tried to awe him and threatened to kill him. The informant prohibited the shopkeepers from giving rent but when he asked to return the advance money of Rs. 5-6 lakhs to the poor shopkeepers, he refused and threatened that he will face dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has otherwise no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. He submitted after going through the case diary that the dispute relates to the recovery of money.

6. Having regard to the kind of allegations showing from the FIR giving an impression that the petitioner was working as care taker of the land belonging to the informant and there is a dispute with respect to the realization of rent from the renters who were allegedly running their shops on the said land and the entire dispute seems to be in respect of the advance amount which the petitioner has allegedly not returned to the informant, in the nature of the allegations and on finding that the petitioner has otherwise no



criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Agamkuan P.S. Case No. 476 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st, Patna City, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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