

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32557 of 2023

Arising Out of PS. Case No.-519 Year-2021 Thana- AURANGABAD TOWN District-
Aurangabad

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Nikesh Kumar Singh @ Durgesh Kumar Singh @ Durgesh Singh S/O
Rajendra Singh @ Raj Barat Singh Resident Of Village- Kunda, P.S.-
Muffasil, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamlendra Pd. Singh
For the State : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-10-2023 Heard Mr. Kamlendra Pd. Singh, learned counsel for
the petitioner, learned counsel for the informant and Mr. Dilip
Kumar No. 1, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406, 420,
34 of the Indian Penal Code.

3. As per FIR, it is alleged that the informant paid Rs.
17,50,000/- in the account of petitioner for the purpose of
purchase of land but later on, he refused to executed the sale
deed in favour of the informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submitted that the petitioner is ready to return Rs.
12,00,000/- to the informant within six months. He further



submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant oppose the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged **on provisional bail for a period of eight months** on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Aurangabad (Town) P.S. Case No. 519 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. On payment of Rs. 12,00,000/- (Twelve Lacs), the provisional bail of the petitioner will be confirmed by the learned court below.

8. The informant undertakes to withdraw the Complaint Case No. 754 of 2021 on payment of Rs. 12,00,000/-.

(Anjani Kumar Sharan, J)

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