

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27282 of 2022

Arising Out of PS. Case No.-454 Year-2021 Thana- CIVIL LINE District- Gaya

Parwati Devi W/O Govind Prasad Resident Of Railway Cinema
Makhlautganj, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 28062 of 2022

Arising Out of PS. Case No.-454 Year-2021 Thana- CIVIL LINE District- Gaya

Nilesh Kumar S/O Govind Prasad Resident Of Railway Cinema
Makhlautganj, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 27282 of 2022)

For the Petitioner/s : Mr.Pramod Ban Bihari Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

(In CRIMINAL MISCELLANEOUS No. 28062 of 2022)

For the Petitioner/s : Mr.Pramod Ban Bihari Singh

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-03-2023 Heard learned counsel for the petitioners, informant and
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 420, 406, 120(B) of the Indian Penal Code.

Both these petitioners in association of other co-accused is said to have entered into an agreement with informant and his friend Gaurav Kumar on 19.07.2021 and received Rs.1,81,00,000/- as an advance for which they had already made an agreement with M/s Barnwal Properties of Raj Kumar Prasad on 04.12.2020 and



handed over the physical possession to said Barnwal Properties. Further they mortgaged the said property with the Bank prior to enter into an agreement with the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioners is ready to return Rs.1,31,00,000/- (Rupees One Crore and Thirty One Lakhs) out of total amount of Rs. 1,81,00,000 (One Crore Eighty One Lakhs) only to the informant within a period of one year. He further submits that the petitioners have already returned Rs.50,00,000/- (Rupees Fifty Lakhs) to the informant out of Rs. 1,81,00,000/-. He further submits that the petitioners are ready to pay Rs.25 lakhs to the informant at the time of furnishing their bail bonds before the learned court below which will be released in favour of the informant. He further undertakes to deposit rest amount i.e., 1,06,00,000 (One Crore Six Lakhs) before the learned court within a period of one year and the Court below will released in the favour of informant. He submitted that petitioners have one criminal antecedent as stated in para-3 of the bail application.

Learned counsel for the informant has no objection to the aforesaid submission and submits that if the petitioners are ready to return the money of the informant, they may be released on bail.

As the petitioners are ready to return the amount of the



informant as per the time schedule given by learned counsel for the petitioners, 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 provisional 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 Civil Line P.S. Case No. 454 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

On payment of the entire amount as per the time schedule given by the learned counsel for the petitioners, the provisional bail of the petitioners will be confirmed by the learned court below.

(Anjani Kumar Sharan, J)

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