

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34517 of 2023

Arising Out of PS. Case No.-820 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Kapil Deo Ray @ Pintu Ray S/O Moti Prasad Ray R/O Laxmi Narayan Lane,
Sikanderpur, P.S.-Mojahidpur, Distt. Bhagalpur. Presently Residing At Flat
No.- 403, Janki Apartment, Mundichak (Near Mini Market), P.S.-Tilkamanjhi,
Distt. Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 17-10-2023 Heard learned counsel for the petitioner, learned

counsel for the informant and 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 and
420 of the Indian Penal Code.

3. Petitioner is said to have committed fraud with the
informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner is the Director of D'Pro Real
Estate(properties) Company. By way of supplementary affidavit,
learned counsel for the petitioner submits that the petitioner has
already left the company in the year 2018 which will evident



from Annexure-3 to this bail application and co-accused Sanjay Poddar is still working in that company, hence, with the consent of main accused namely, Kumar Prabhakar, M.D. of said company, co-accused Sanjay Poddar has compromised the case with the informant. This fact has not been denied by the learned counsel for the informant. He further submits that petitioner has criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State the opposes 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 bail 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 Kotwali (Tilkamanjhi) P.S. Case No. 820 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

