

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51947 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- BUXAR District- Buxar

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1. KAMINI KUMARI Wife of Ajit Kumar Resident of village - Road No. 4, Reva Road, Sir Ganesh Dutt Nagar, Bhagwanpur, P.S. - Bhagwanpur, Distt. - Muzaffarpur
 2. JAGDISH PRASAD SINGH @ JAGDISH PRASAD SON OF JAGARNATH SINGH Resident of village - Chankyapuri, ward no. 1, Gali No. 2, Bairiya Police Station - Ahiyapur, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 420, 406, 120B/ 34 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named accused persons, including these petitioners, came to the house of informant and persuaded to sell paddy to the Seed Corporation through them for more money. Accordingly, the informant and other farmers sold paddy to Seed Corporation and petitioners paid money to informant's side for keeping confidence. In the year 2022-23 the informant and other farmers



again sold paddy worth Rs. 3,04,72,010/- but the accused persons paid only Rs. 46,19,885/- and rest amount of Rs. 2,58,52,125/- was not paid and when informant's side went to house of petitioners and demanded money they threatened for dire consequences. Thus, the accused persons have committed fraud and grabbed rest money of informant's side.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that thrust of accusation is against co-accused, Ajeet Kumar and there is no allegation that petitioners purchased any paddy from informant's side. Petitioner No.1 is wife of co-accused, Ajeet Kumar and petitioner No.2 is his father-in-law and they have been made accused only because they are relatives of co-accused, Ajeet Kumar.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of Chief Judicial Magistrate,
Buxar in connection with Buxar (T) PS case No. 38/ 2023,
subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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