

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49179 of 2023

Arising Out of PS. Case No.-259 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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SHAMBHU KUMAR MISHRA S/O NANDKISHORE MISHRA R/O
Village- Bhangaha, P.S- Kumarbagh O.P., Distt.- West Champarn.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Anant Kumar Mishra, Advocate
		Mr. Sarvesh Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 5 13-12-2023 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for grant
of regular bail in connection with Bettiah (Town) P.S. Case
no.259 of 2023 registered under sections 420, 406, 406, 468,
471 and 120B of the Indian Penal Code.
3. As per the prosecution case, a sum of Rs.4 crores
through different transactions was given by the informant to the
petitioner in course of business transaction however, neither the
petitioner paid any interest thereon nor had returned the said
amount.
4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the



case. So far as business transactions and business relations between the parties are concerned, the same is not denied but the allegations in the F.I.R. are categorically denied. Learned counsel refers to the various affidavits filed in the instant application bringing on record the transaction between the parties. The petitioner is in custody since 19.4.2023, has no criminal antecedent and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant referring to the counter affidavit filed on behalf of the informant submits that through different banking transactions, it would be evident from the statement of account of the Bank concerned that large sums were transferred in the account of the petitioner and the same is not being returned.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., the evidence primarily being documentary in nature which is already in custody of the prosecution, the petitioner having remained in custody since 19.4.2023 and chargesheet having been submitted in the case,



the Court directs the petitioner to be enlarged on bail in connection with Bettiah (Town) P.S. Case no.259 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran.

(Partha Sarthy, J)

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