

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45255 of 2022

Arising Out of PS. Case No.-221 Year-2022 Thana- AGAMKUAN District- Patna

1. REKHA DEVI Wife of Sri Rakesh Kumar Singh Resident of Village - Dharhara, P.S.- Paliganj, District - Patna.
2. Rishav Raj Son of Sri Rakesh Kumar Singh Resident of Village - Dharhara, P.S.- Paliganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rahul Kumar, Son of Sri Mohan Singh, Resident of Village Bekapur, P.S. Kotwali, District Munger.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 47734 of 2022

Arising Out of PS. Case No.-221 Year-2022 Thana- AGAMKUAN District- Patna

RAKESH KUMAR SINGH S/O LATE KAPILDEO SINGH Resident of village- Dharhara, P.S.- Paliganj, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45255 of 2022)

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Nand Kishore Prasad

(In CRIMINAL MISCELLANEOUS No. 47734 of 2022)

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 30-01-2023 As both these bail applications have cropped from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

Heard learned counsel for the petitioners, learned APP



for the State as well as learned counsel appearing on behalf of the informant.

The petitioners apprehend their arrest in connection with Agamkuan P.S. Case No.221 of 2022, registered for the offences punishable under Sections 379, 420, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioners took Rs.14,50,000/- from the informant and promised to return the money within one year. It is alleged that when the informant demanded his money, the petitioners returned only Rs.2,00,000/-. When the informant went to the house of petitioner, Rakesh Kumar Singh for demanding money, the nephew and elder brother of petitioner, Rakesh Kumar Singh abused and threatened to kill him.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petitions.

Learned APP for the State opposes the prayer for grant of anticipatory bail to the petitioners by submitting that petitioner no.2, namely, Rishav Raj of Cr. Misc. No.45255 of 2022 has got one criminal antecedent, but this fact has not been



mentioned in paragraph-3 of his bail petition.

Considering the fact that petitioner no.2, Rishav Raj of Cr. Misc. No.45255 of 2022 has suppressed his criminal antecedent, I am not inclined to enlarge petitioner no.2, Rishav Raj of Cr. Misc. No.45255 of 2022 on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to petitioner no.2, Rishav Raj of Cr. Misc. No.45255 of 2022 is rejected.

So far as petitioner no.1 of Cr. Misc. No.45255 of 2022, namely, Rekha Devi is concerned, considering that she has got no criminal antecedent, let petitioner, namely, Rekha Devi, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, be released 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 learned Additional Chief Judicial Magistrate-I, Patna City, Patna in connection with Agamkuan P.S. Case No.221 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner, namely, Rakesh Kumar Singh of Cr. Misc. No.47734 of 2022 is concerned, considering the nature of offence, I am not inclined to enlarge petitioner, Rakesh



Kumar Singh on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to petitioner, Rakesh Kumar Singh is hereby rejected.

(Anjani Kumar Sharan, J)

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