

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53054 of 2022

Arising Out of PS. Case No.-527 Year-2022 Thana- MADHEPURA District- Madhepura

1. RAJESH KUMAR @ RAJESH SAH Son of Sri Tej Narayan Prasad Sah Resident of Ward No.- 3, Hanuman Nagar, P.S.- Beldaur, District - Khagaria.
2. Arjun Kumar @ Arjun Sah Son of Sri Shankar Sah Resident of Ward No.- 10, Gandhi Path, P.S. and District - Saharsa.
3. Shiv Kumar @ Shiv Kumar Sah Son of Late Kave Lal Gupta Resident of village - Mahua Bazar, P.S.- Basnahi (Mahua Bazar), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53275 of 2022

Arising Out of PS. Case No.-527 Year-2022 Thana- MADHEPURA District- Madhepura

1. NITU KUMARI W/o Sri Arjun Kumar @ Arjun Sah Resident of Village - Ward no.10, D.B. Road, Saharsa, P.s.- Saharsa, Distt.- Saharsa.
2. Kiran Kumari @ Kiran Devi Wife of Sri Shiv Kumar Resident of village - Mahua Bazar, Ward No.- 8, P.S.- Basnahi Maahua Bazar, District - Saharsa, At Present Residing at P.O. and P.S.- Pothia, District - Kishanganj.
3. Lalan Kumar @ Lalan Sah Son of Sri Chhutaharu Sah Resident of Mohalla- Pothia, P.S.- Pothia, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53054 of 2022)

For the Petitioner/s : Mr.Amrit Abhijat, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

(In CRIMINAL MISCELLANEOUS No. 53275 of 2022)

For the Petitioner/s : Mr.Amrit Abhijat, Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-01-2023

Heard learned counsels for the petitioners and the



State through video conferencing in view of the Covid-19.

The petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 527 of 2022 instituted under Sections of the Indian Penal Code.

As per the prosecution story, Aman Raj and Abhishek Raj after taking the informant's nephew, Vikas Kumar in confidence that his amount will be increased within a month took Rs. 10 lakh with the assurance that after one month, Rs. 15 lakh will be paid to him. As he failed to return the amount and subsequently started threatening him, the FIR was lodged.

So far as the other petitioners are concerned, the allegation is that they were also part and parcel of the said 'Daani Daata App' which used to do fraud with innocent people.

Learned counsel for the petitioners submit that save and except, petitioner No. 1, Rajesh Kumar @ Rajesh Sah, the other petitioner do not have criminal antecedent. Further, the parties have come to an amicable settlement and accordingly a compromise petition has also been drafted on 16.11.2022 duly executed by the parties which has been attached as Annexure-7 of the supplementary affidavit to the present petition.

Learned APP on the other hand opposes the prayer of bail.



Taking into account the fact that specific allegation is against Aman Raj and Abhishek Raj, as per the compromise petition which has been brought on record, the matter has been amicably settled and ultimately the petitioners will have to face the trial, this Court is inclined to grant them relief.

Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Madhepura P.S. Case No. 527 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Madhepura, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan
/Ajay Singh/-

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