

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60673 of 2023

Arising Out of PS. Case No.-118 Year-2023 Thana- DUMRAO District- Buxar

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1. Ram Kumar Singh @ Ramesh Kumar Singh S/O Late Radha Krishan Singh
R/O Village- Majhwari, Ps. Simri, Dist. Buxar
 2. Bajrangi Yadav @ Girjashankar S/O Ram Kumar Singh @ Ramesh Kumar
Singh R/O Village- Majhwari, Ps. Simri, Dist. Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioners and the learned
Additional Public Prosecutor (for brevity 'APP') for the State.

2. The petitioners are apprehending their arrest in connection with Dumraon P.S. Case No. 118/ 2022 registered for the offence punishable under Sections 406, 420, 120B/34 of the Indian Penal Code (for brevity 'IPC').

3. It is alleged that informant has paid an amount of Rs. 1,50,000/- (one lac fifty thousand) to one of the sons of petitioner No. 1/ brother of petitioner No. 2 as loan for starting the business of school on 29-04-2017. On 10-01-2018, he has given another amount of Rs. 8,00,000/- (eight lacs) based on an agreement for purchasing lands.



4. Learned counsel for the petitioners submits that the allegations are predominantly civil in nature and the prosecution case is attended with *mala fides* and based on extraneous considerations, to bring the parties to term in the transactions, which are 4/3 years old.

5. Learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that the specific allegation is levelled against the son of petitioner No. 1/ brother of petitioner No. 2. The instant petitioners have also been aiding and abetting the other son of petitioner No. 1, as per allegations.

6. Having regard to the submissions advanced by the petitioners' counsel, nature of allegations, which are based on agreement/s between the parties involving predominantly civil issues, with respect to financial transactions, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

7. This order shall not be treated as an expression on the merits of the case.

8. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Dumraon P.S. Case No. 118/2023, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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