

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60706 of 2023**

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

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Raj Kumar Patel @ Raju Kumar Patel Son Of Yadav Lal Patel @ Yadav Lal  
Prasad Resident Of Village- Bahuarwa, Ps- Kangli, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      11-10-2023                      Heard learned counsel for the petitioner and the  
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bettiah Town PS Case No. 259 of 2023, dated 12-04-2023 registered for the offence punishable under Sections 420,406,468,471 and 120B of the Indian Penal Code.

3. The informant has alleged that co-accused, namely Sambhu Kumar Mishra, a family friend of the informant, allured him to take on the distributorship of a seeds Company. It was assured by the co-accused that assistance would be rendered in the proposed business by five other persons, including the petitioner. In the process of setting up of the distributorship, the said co-accused has taken a total amount of



Rs. 4 Crore, but the informant did not get any profit out of the said venture. When the informant demanded the money a document was executed by the co-accused, namely, Sambhu Kumar Mishra with the informant showing receipt of an amount of Rs. 4 Crore.

4. It is submitted by the petitioner's counsel that as per allegations in the First Information Report ( for brevity 'FIR') the allurement was made by co-accused, namely, Sambhu Kumar Mishra. Money was also received him. The FIR does not disclose any role of the instant petitioner in the allegations. Only because his name has been stated by the co-accused as being one who will assist the informant in his business, he has been made an accused in this case. He has no antecedents and there is no allegation of receipt of any money by the instant petitioner.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, clean antecedents and nature of allegation, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the



event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Bettiah, West Champaran, in connection with Bettiah Town PS Case No. 259 of 2023, dated 12-04-2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

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

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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