

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64830 of 2022

Arising Out of PS. Case No.-148 Year-2021 Thana- BUDDHACOLONY District- Patna

1. Nikita Wife Of Kaushal Kumar R/O 59, Patliputra Colony, P.S.- Patliputra, Patna
2. Kaushal Kumar Son Of Dr. Birendra Kumar Singh R/O 59, Patliputra Colony, P.S.- Patliputra, Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amit Kumar Singh Son Of Sri Yogendra Prasad Singh R/O Flat No. B/21, Sri Ram Kunj Apartment, East Boring Canal Road, P.S.- Buddha Colony, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-05-2023 Heard learned counsel for the petitioners, informant and learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406/420/120(b) of the Indian Penal Code and Section 138 of the N.I. Act.

Learned counsel for the petitioners submits that the petitioners are innocent and has been falsely implicated in this case. He submits that the petitioner no. 1 is wife of petitioner no. 2. He submits that the petitioner no. 2 is a contractor and deals in construction work. He submits that during course of construction work, the informant approached the petitioner no. 2



and disclosed his intention to give him some part of work/permit them to supply the raw materials for construction work. In course of business dealing, the informant transferred a sum of Rs. 50,00,000/- in the Bank Account of Adhunik Projects and Infrastructure Pvt. Ltd. The said amount was given by the informant only for the business work. Learned counsel for the petitioners further submits that out of the aforesaid amount i.e. Rs. 50,00,000/- the petitioners have paid the amount to the tune of Rs. 35,50,000/- to the opposite party no. 2 and with regard to rest amount i.e. Rs. 14,50,000/-, the petitioner no. 2 is ready to pay the same in six equal installments within six months. Petitioners have no criminal antecedent as stated in para-3 of the bail application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on provisional bail for a period of six months, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Buddha Colony P.S. Case No. 148 of 2021, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

Learned Court below is directed to confirm the bail bond of the petitioners after satisfying that the petitioners have refunded the aforesaid amount to the informant/opposite party no. 2.

(Anjani Kumar Sharan, J)

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