

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74636 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- KHAJEKALA District- Patna

Mohnish Kumar S/O Shyam Nandan Lall Resident Of Mohall-Madarsa
Sulemania Lane, Nawab Bahadur Road, P.S.-KHAJEKALA, District-Patna

... .. Petitioner/s

Versus

1. State Of Bihar And Anr Bihar
2. Saurav Kumar S/O Tarun Kumar Resident Of Village-Sunain Niwas, Ganga
Vihar Colony, Behind Beur Jail, P.S.-beur, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishi Raj Raman, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

: Mr. Anupam Prabhat Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 406, 504, 506 and 34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, the informant alleged that he has deposited total Rs. 31,67,356/- as an investment in the Rajni Enterprises as the contract/agreement. The amount deposited in the petitioner and his relative account but the informant has neither received any profit nor his actual invested money.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner and informant are partners in the company and there is some dispute arises between the parties. He submits that the informant has invested Rs. 41,20,000/- in the firm of the petitioner, out of which the petitioner has returned Rs. 18,28,644/- to the informant but the learned counsel for the informant disputes this fact and submits that only Rs.10,00,000/- has been given to the informant. Larned counsel for the petitioner further submits that the petitioner is ready to return remaining Rs. 22,91,356/- to the informant within a period of six months and this fact has not been objected by the learned counsel for the informant. He submits that the petitioner has got five criminal antecedents as stated in para-3 of the bail application.

5. Learned APP for the State along with learned counsel for the informant opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on **provisional bail** for a period of eight months, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Khajekala P.S. Case No.21 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The provisional bail bond of the petitioner shall be confirmed by the learned Court below after satisfying this fact that the petitioner has returned Rs.22,91,356/- to the informant.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

