

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80559 of 2023

Arising Out of PS. Case No.-615 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

1. AAYUSH KUMAR S/O PRAMOD KUMAR SINGH R/O VILLAGE- H/16 INDRAPURI ROAD NO.11, PS. PATLIPUTRA DIST. PATNA
2. AADITYA KUMAR S/O PRAMOD KUMAR SINGH R/O VILLAGE- H/16 INDRAPURI ROAD NO.11, PS. PATLIPUTRA DIST. PATNA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. DHANAJAY KUMAR S/O KAMESHWAR PRASAD VILLAGE- SION PS. BHABUA , DISTT. KAIMUR AT BHABUA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 120(B) of the Indian Penal Code.

3. Allegedly, on the temptation of the accused persons, the informant and his friend Santosh Kumar send the money in different accounts of the accused persons as processing fee, but later on, all the accused persons denied to finance money to public and did not return the processing fee and when the informant asked for the same, the accused persons returned only



Rs. 2,84,000/- on bank rate and did not return rest of the money.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. It is further submitted that petitioners have already returned Rs. 5,84,000/- to the informant and the rest will also be returned within one year, which is also evident from para 7 of the bail application. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail** for a period of one year, 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 Court below where the case is pending/successor Court in connection with Bhabua P.S. Case No. 165 of 2022, subject to the condition as



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

7. After payment of the rest amount i.e. Rs. 6,49,000.00/-
to the informant, the provisional bail of the petitioner will be
confirmed by the learned Court below.

(Anjani Kumar Sharan, J)

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