

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15784 of 2024

Arising Out of PS. Case No.-991 Year-2023 Thana- PHULWARISHARIF District- Patna

1. Lallan Kumar son of Late Nagendra Prasad Sharma Village- Jagmal Bigha Ps- Khusarupur Dist- Patna
2. Raushan Kumar son of Late Satendra Prasad Singh @ Late Satyendra Singh Village- Jagmal Bigha Ps- Khusarupur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anjani Parashar , Advocate
For the Opposite Party/s	:	Mr. Md. Ataur Rahman, APP
For OP 2	:	Surendra Kishore Thakur , Advocate
		Y. Madhavi , Advocate
		Subodh Kumar , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 04-07-2024 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Sections 406, 420, 504, 506 and 34 of the Indian Penal Code .

3. As per prosecution case, these petitioners along with other co-accused persons committed fraud with informant by executing forged sale deed. It is further alleged that informant gave two cheques of total Rs. 5 lakhs and both these petitioners executed the deed of agreement in favour of informant and for the same informant paid Rs. 51,000/- to these



petitioners.

4. Learned counsel for the petitioner submits that cheques issued by the informant got dishonoured and these petitioners only received Rs. 51,000/-. However, petitioner is ready to return the amount of Rs. Rs. 51,000/- (fifty One Thousand), at the time of furnishing bail bond, which the informant claims to have given to the petitioner for purchasing the land in question.

5 . Learned counsel for the opposite party No. 2 did not controvert the submission made on behalf of petitioners.

6. Considering the aforesaid contention made on behalf of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners, in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM – XIV , Patna in connection with Phulwarisharif P. S. Case No. 991 of 2023 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioner shall refund Rs. 51,000/- (Rs. Fifty one thousand) through Demand Draft to the



informant at the time of furnishing bail-bond,
failing which, the learned court below would be at
liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case,
this order has been passed only for the purpose of bail.

(Prabhat Kumar Singh, J)

Koushik/-

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

