

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28073 of 2024

Arising Out of PS. Case No.-1704 Year-2023 Thana- PHULWARISHARIF District- Patna

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Ankit Kumar Son of Sri Binay Kumar Resident of Bank Colony, Patna
Marble, P.S.- Ram Krishna Nagar, Manoharpur Kachchuara, Dist.- Patna, Pin
Code-800016

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Kumar, Advocate
For the State	:	Mr. Pramod Kumar Pandey, A.P.P.
For the Informant	:	Mr. Shashi Bhushan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-05-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 406, 420, 467, 468, 471
and 120B of the Indian Penal Code.

3. As per prosecution case, allegation against the
petitioner along with other accused persons is that they took Rs.
15,49,000/- (Rs. Fifteen Lacs Forty Nine Thousand) from the
informant and got registered a forged and fabricated sale deed in
favour of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Petitioner is
simply an identifier and not the beneficiary of the alleged



transaction. Lastly, he submits that petitioner is ready to refund Rs. 15,49,000/- (Rs. Fifteen Lacs Forty Nine Thousand) to the informant in easy installments, without admitting his guilt.

5. Learned counsel for the informant opposed the bail application and submitted that petitioner along with other accused persons fraudulently took Rs. 65 Lacs from the informant.

6. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-14, Patna in connection with Phulwari Sharif P. S. Case No. 1704 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. 5,00,000/- (Rs. Five Lacs) through Demand Draft to the informant at the time of furnishing bail-bond and thereafter, rest amount i.e., Rs. 10,49,000/- (Rs. Ten Lacs Forty Nine Thousand) shall be



refunded in four equal installments i.e. Rs. 2,62,250/- (Rs. Two Lacs Sixty Two Thousand Two Hundred Fifty) each within one year through Demand Draft to the informant, failing which, the learned court below would be at liberty to cancel the bail-bond.

7. 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)

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