

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22945 of 2024

Arising Out of PS. Case No.-791 Year-2021 Thana- PHULWARISHARIF District- Patna

Mukesh Singh @ Mukesh Kumar S/o Late Ram Baran Singh R/o Mohalla
Chitkohra PS Gardanibag District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Prasad Bhartee

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Phuwarisharif P.S. Case no. 791 of 2021 instituted for the offence under Sections 420, 406, 467, 468, 323, 379, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner along with other co-accused persons is that they committed fraud after taking 90 lacs from the informant for the purpose of executing the sale deed of the house.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is no allegation against the petitioner except that



he was present at the time of alleged agreement. It is further submitted from para-10 of this petition that after perusal of the entire written report submitted by the informant to the O/C Phulwarisharif, no offences have been constituted against the petitioner. It has been stated in the written report that at the time of alleged agreement and payment of a cheque of Rs. 3,50,000/- and cash of Rs. 50,000/- petitioner was present except that allegation, nothing consistent material has come against him. He has not received any amount from the informant. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Other co-accused person has already been granted regular bail by this Court vide order dated 15.01.2024 in Cr. Misc. No. 81933 of 2023.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Phulwarisharif P.S. Case no. 791 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate IX, Patna subject to the conditions as laid down
under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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