

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42904 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- NAUBATPUR District- Patna

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1. Ankit Kumar Singh Son of Sri Subodh Narayan Singh R/O Mohalla- Flat no.- 203, B/4, Tiruvant puram city, Vijay Singh Yadav Path, Khagaul, P.S.- Danapur, Dist.- Patna
 2. Subodh Narayan Singh Son of Sri Akhileshwar Prasad Singh @ Sri Akhilesh Pd. Singh R/O Mohalla- Flat no.- 203, B/4, Tiruvant puram city, Vijay Singh Yadav Path, Khagaul, P.S.- Danapur, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi W/o- Sanjay Kumar Singh Add- Tirwantpuram City PS- Naubatpur Dist.-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Singh, Adv.
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P. No. 2	:	Mr. Kumar Ruchikar Jha, Adv. Mr. Sudhanshu Prakash, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in connection with Naubatpur P.S. Case No. 132 of 2023 registered under Sections 406, 420, 34 of the Indian Penal Code and Section 138 of N.I. Act.

3. Petitioners are alleged to have committed the act of cheating and breach of trust with informant after entering into business.

4. Learned counsel appearing on behalf of the petitioners submits that the dispute arises out of business transaction



between the parties. By filing supplementary affidavit, learned counsel for the petitioners submits that petitioners have already returned Rs. 5,44,000/- to informant as against the alleged claim of Rs. 22,00,000/- and at this stage without admitting their guilt, petitioners are ready to pay the rest amount i.e. Rs. 16,56,000/- in easy installments.

5. However, learned counsel for the opposite party No. 2 denies and submits that till date petitioners have returned only Rs. 44,000/- and the rest amount has been defalcated by them.

6. Considering the aforesaid contention made on behalf of the petitioners, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Danapur, Patna in connection with Naubatpur P.S. Case No. 132 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioners that :-

i. Petitioners shall deposit Rs. 2,56,000/- (Two Lakhs Fifty Six Thousand) in the *Nazarat* and will produce the receipt of the same at the time of furnishing bail-bond in the Court



below, and the rest amount i.e. Rs. 14,00,000/- (Fourteen Lakhs) shall be paid in seven equal installments within a period of one and half year, failing which, the learned Court below would be at liberty to cancel the bail-bonds.

6. It is made clear that this order has been passed for the purpose of bail without going into the merit of the case, and the payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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