

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42233 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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SHANNI KUMAR SON OF UPENDRA RAM VILLAGE- PARIAUNA,
P.S.- NOORSARAI, DISTT.- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For the Informant	:	Mr. Shashikant, Advocate
	:	Mr. Surendra Kumar Mishra, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-10-2024 Heard learned counsel for the petitioner, learned APP

for the State, learned counsel for the informant and perused the

case diary.

2. The petitioner seeks bail in connection with Lalit
Narayan Mithila University P.S. Case No. 168 of 2023
instituted for the offences under Sections 379, 420 of the Indian
Penal Code.

3. Prosecution case, in short, is that the accused
persons fraudulently took Rs. 10,95,400/- from the informant in
the name of setting up a petrol pump.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case merely



on the basis of suspicion. Learned counsel further submitted that police have investigated the case in detail and found that transactions took place between six holders of account including this petitioner. Learned counsel further submitted that petitioner undertakes to return the amount of money deposited by the informant in his Account, i.e. Account No. 5323066221, Central Bank of India, Barh. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State referring to paragraph nos. 59 and 81 of the case diary submitted that total amount of Rs. 49,500/- has been deposited in the A/C No. 5323066221, Central Bank of India, Barh, belongs to this petitioner.

6. Considering the aforesaid facts and circumstances of the case and since the petitioner is ready to return the money credited in his account by the informant, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lalit Narayan Mithila University P.S. Case No. 168 of 2023, subject to the condition that if the petitioner fails to return the said amount in question, i.e. Rs. 49,500/- to the informant within a period of two months after his release from bail, the trial Court will have liberty to cancel the bail bonds of the petitioner.

8. It goes without saying that the amount in question, i.e. Rs. 49,500/- which is directed to be returned to the informant, will be subject to outcome of the case.

(Rudra Prakash Mishra, J)

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