

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64946 of 2023

Arising Out of PS. Case No.-763 Year-2022 Thana- PHULWARISHARIF District- Patna

1. KAMLESH SINGH @ KAMLESH KUMAR SINGH SON OF SRI RAJ KUMAR SINGH RESIDENT OF VILLAGE DUMARI, P.S. - DULHIN BAZAR, DISTRICT - PATNA
 2. SUNITA DEVI WIFE OF KAMLESH SINGH @ KAMLESH KUMAR SINGH RESIDENT OF VILLAGE DUMARI, P.S. - DULHIN BAZAR, DISTRICT - PATNA
- Petitioners.

Versus

1. The State of Bihar
 2. OM PRAKASH KUMAR SINGH SON OF RAM VISHUN SINGH RESIDENT OF MOHALLA - CHUNAUTI KUAN, P.S. - PHULWARISHARIF, DISTRICT - PATNA
- Opposite Parties.

Appearance :

For the Petitioners	:	Mr. Vinay Mistry, Advocate
For the O.P. No.2	:	Mr. Ravi Shanker Pankaj, Advocate
For the State	:	Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. The allegation against the petitioners is that they took Rs.4,11,000/- to register a land in favour of the informant but neither the land was registered nor the money was returned.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the informant himself has cheated by personating in collusion with the co-accused Umesh Kumar and Yogendra Kumar. It is further submitted that petitioners are ready to deposit the aforesaid amount of Rs.4,11,000/- in the Nazarat of the learned Court below subject to final outcome of the present case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as well as the fact that the petitioners are ready to deposit Rs.4,11,000/- in the Nazarat of the learned Court below subject to final outcome of the present case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Phulwarisharif P.S. Case No.763 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



6. The learned court below is directed to accept the bail bond of the petitioners after satisfying that the petitioners have deposited Rs.4,11,000/- in the Nazarat, which will be subject to final outcome of this Court.

(Anjani Kumar Sharan, J)

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