

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2080 of 2024

Arising Out of PS. Case No.-1185 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Munni Devi Wife of Sunil Sharma Resident of Village-Rashtriyaganj Birla
Colony, Phulwarisharif, PS-Phulwari Sharif, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Vikash Kumar Son of Late Chottan Mistri Resident of Village-Khalilpur
Near Devi Asthan, PS.-Phulwarisharif, District-Patna

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 74165 of 2023

Arising Out of PS. Case No.-1185 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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BACHCHU KUMAR Son of Ram Bhajan Rai R/o vill - Yakubpur Nagwan,
P.O. - Sorampur, P.S. - Janipur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Vikash Kumar Son of Late Chottan Mistri R/o vill - Khalilpur Near Devi
Asthan, P.S. - Phulwarishariff, Distt. - Patna

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 2080 of 2024)

For the Petitioner/s : Mr.Sanjeeb Kumar Sanju

For the Complainant : Mr. Upendra Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 74165 of 2023)

For the Petitioner/s : Mr.Sanjeeb Kumar Sanju

For the Complainant : Mr. Upendra Mishra

For the Opposite Party/s : Mr.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.



2. The petitioners are apprehending their arrest in a case in connection with Complaint Case No. 1185C of 2016 dated 12.04.2016 registered for the offence/s punishable u/ss 406, 420, 323, 120B of the Indian Penal Code.

3. As per the prosecution case, the complainant alleged that he wanted to buy a piece of land in Patna and for that he told the petitioners (Mausa and Mausi of the Complainant) then the petitioners introduced him to a broker, thereafter, the complainant gave total amount of Rs. 1,92,000 to the broker and his Mausa in three installments. It is further alleged that the informant never got any piece of land, when the complainant demanded his money back, all the accused persons started beating him.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. As per supplementary affidavit filed on behalf of the petitioners, the petitioners are ready to pay the said amount. The petitioner has paid the amount of Rs. 1,20,000/- to the complainant, namely Vikash Kumar in once time and for that a demand draft of Bank of Baroda bearing no. 331620 issued date 19.02.2024 in the name of the complainant, namely Vikash Kumar has been handed over during the course of the



day and the complainant accepted the same and put his signature in presence of his counsel. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Patna in connection with Complaint Case No. 1185C of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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