

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78516 of 2023

Arising Out of PS. Case No.-6 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. ROOP NARAYAN KUMAR SON OF RAJA SINGH R/O VILLAGE-
PURANA TOLA JHITKAHIYA, P.S.- MUFFASIL, MOTIHARI, DIST.-
EAST CHAMPARAN
 2. PUSHPA DEVI WIFE OF ROOP NARAYAN KUMAR R/O VILLAGE-
PURANA TOLA JHITKAHIYA, P.S.- MUFFASIL, MOTIHARI, DIST.-
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Y.C.Verma, Sr. Advocate
	:	Mr. Shyam Kishore, Advocate
For the Opposite Party/s	:	Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-01-2024 1. Heard learned Senior Counsel for the petitioners
and learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Muffasil (Motihari) PS case no. 06 of 2022,
disclosing offences punishable under Section 406 and other
allied sections of the Indian Penal Code.
3. As per the First Information Report, the petitioners
had taken a sum of Rs. 49,50,750/- along with 12,00,000/- from
informant for running a school. It has been alleged that the
petitioners, in order to misappropriate the amount, has kicked
out the informant from the school, which was constructed upon



the land of the petitioners.

4. Learned Senior Counsel for the petitioners submits that a *Panchayati* was held between the parties and it was decided that petitioners would pay the amount of Rs. 61,47,000/- to the informant and on the date of *Panchayati*, *Panchnama* was written and petitioners paid a sum of Rs. 17,53,000/- and thereafter, on different dates, deposited the entire amount in the account of the informant, which is evident from *Panchmana* and statements of account, which is annexed as Annexure-2. He further submits that petitioners have complied with the conditions of *Panchnama* and paid the entire amount to the informant but the informant is not withdrawing the case against the petitioners, as agreed in *Panchanama*.

5. Regard being had to the submissions made by the parties and taking into consideration the fact that the petitioners have already returned a sum of Rs. 61,47,000/- to the informant, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Muffasil (Motihari) PS case no. 06 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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