

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82914 of 2023

Arising Out of PS. Case No.-323 Year-2023 Thana- KUDHNI District- Muzaffarpur

1. Ravindra Kumar @ Ravindra Kumar Sharma Son Of Late Ramphal Sharma
R/O Village- Sakra Mansurpur, P.S.- Sakra, District- Muzaffarpur
2. Aditya Kumar @ Aditya Raj Son Of Ravindra Kumar R/O Village- Sakra
Mansurpur, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s :	Mr. Nawal Kishore Prasad, APP
For the Informant :	Mr. Ajit Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Kudhani P.S. Case No. 323 of 2023 dated 01.07.2023, instituted
for the offence punishable under Sections 341, 323, 384, 504,
506, 406, 420/34 of the Indian Penal Code.

3. Allegation against the petitioner no. 1, is that, he
took loan of Rs. 23,85,000/- from the informant on pretext of
starting a business out of which they returned Rs. 13,00,000/- to
the informant and rest i.e. Rs. 10,85,000/-, they did not return.
When the informant went to his house for rest of the money, he
was assaulted and threatened.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in



this case. It is further submitted that informant made a payment of money to the petitioner no.1 on different dates. As per the allegation Rs. 10,85,000/- is due upon the petitioner no.1. It is submitted that the petitioners have also filed Complaint Case No. 2627 of 2023 on 19.07.2023 against the opposite party i.e. informant. It is submitted that agreement dated 04.03.2021 entered into for sale with the informant. Opposite party no. 2 has accepted to have received a sum of Rs. 11, 21,000/- as earnest money out of Rs. 25,06,000/- on 04.03.2021. It is further submitted that on enquiry, the petitioners came to know that opposite party no. 2 has already sold the land to other persons. Petitioner no. 2 (son of petitioner no. 1) has been implicated in this case because of his relationship with the petitioner no. 1. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Kudhani P.S. Case No. 323 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/-



(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Muzaffarpur (West), subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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