

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2321 of 2024

Arising Out of PS. Case No.-379 Year-2023 Thana- RAJPUR District- Buxar

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1. Shashi Bhushan Yadav @ Shashi Bhushan Singh Son of Late Ramnagina Singh @ Late Nagina Resident of Village- Sauri Nawar, P.S.- Dihari, District- Buxar
 2. Aniket Kumar @ Aniket Kumar Singh Son of Shashibhushan Yadav @ Shashibhushan Singh Resident of Village- Sauri Nawar, P.S.- Dihari, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kumar Son of Ram Kumar Singh Resident of Village- Bhanpur, P.S.- Ara (Muffasil), District- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-01-2024 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 Rajpur P.S. Case No. 379 of 2023 dated 05.11.2023 registered for the offence/s punishable u/s 467, 468, 471, 420, 323, 406, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner no. 1 has taken Rs. 8 lakh from the informant in the name of providing job to his son. Being delay in getting job, the informant started enquiring about the said job and money invested in it but went

in vain. The informant got suspicious about the petitioner no. 1 and came to know that the petitioner no. 1 has taken money from 20 people for providing job but did not provide the same to them nor refunded their money. Thereafter, the informant went to his house to enquire about his money, in the meantime, his son (petitioner no. 2) started abusing and assaulting the informant and warned him not to come to his house again.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners are named in the FIR. There are general and omnibus allegations against the petitioners. The petitioners have no criminal antecedent as stated at para 3 of the bail petition. An F.I.R. was lodged against the petitioners by the informant bearing Rajpur P.S. Case No. 379 of 2023 on 05.11.2023, whereas a complaint case was lodged against the informant by the petitioners bearing Complain Case No. 454 of 2023 on 08.05.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegations against the petitioners, 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 the learned court concerned, C.J.M., Buxar in connection with Rajpur P.S. Case No. 379 of 2023 subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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