

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62370 of 2024

Arising Out of PS. Case No.-762 Year-2020 Thana- BIHTA District- Patna

Ram Vinay Kumar Son of Ram Bachan Singh R/o Village- Pandeypur, Neura,
P.S. -Bihta District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravindra Kumar Singh Son of Shivdhar Prasad Singh village- Puraina, Ps-
Bihta, dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For the Informant	:	Mr. Bindhyachal Singh, Sr. Advocate
		Ms. Nikita Mittal, Advocate
		Mr. Vipin Kumar Singh, Advocate
		Mr. Ankit, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 28-04-2025 Heard Mr. Rakesh Kumar, learned counsel for the

petitioner, Mr. Bindhyachal Singh, learned senior counsel
appearing on behalf of the informant as well as Mr. Shailendra
Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bihta P.S. Case No. 762 of 2020, F.I.R. dated
13.10.2020 for the offences punishable under Sections 406 and
420 of the Indian Penal Code.

3. According to prosecution case, a consideration
amount of Rs. 7,26,000/- has been given to the petitioner by the
informant for purchase of land but petitioner neither registered



the said land in favour of the informant nor returned the amount in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the petitioner has received only Rs. 5,26,000/- (Five lakhs and twenty six thousand only) by way of bank transaction.

5. Learned counsel for the informant submits that the petitioner has received altogether Rs. 5,26,000/- by way of bank transaction and Rs. 2,00,000/- by cash.

6. Learned counsel for the petitioner submits that the petitioner is ready to pay Rs. 5,26,000/- (Five lakhs and twenty six thousand only) to the informant and rest amount of Rs. 2,00,000/- (Two lakhs) will depends upon the outcome of the case pending before the competent court of law.

7. Learned counsel for the petitioner has produced a demand draft of Rs. 5,26,000/- (Five lakhs and twenty six thousand only) in favour of the informant (Opposite Party No. 2) bearing DD No. 912349 dated 25.04.2025 and the said demand draft is handed over to the learned counsel for the



informant.

8. Learned counsel for the informant is directed to hand over the said demand draft to the informant.

9. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

10. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate – I, Danapur, Patna in connection with Bihta P.S. Case No. 762 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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