

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63312 of 2025

Arising Out of PS. Case No.-516 Year-2024 Thana- KHAGARIA District- Khagaria

1. Ram Pukar Paswan S/o Nago Paswan Resident Of Village- Ranko, ward No 35, Ps- Muffasil, Dist -Khagaria
2. Shyamdeo Prasad @ Shyamdeo Prasad Sah S/o Brahamdeo Prasad @ Brahamdeo Prasad Sah R/o Mohalla - P.W. High School Road, Baluahi, ward no. 22, P.s.- Khagaria, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Jai Kishor Poddar, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP
For the Informant	:	Mr. Santosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-12-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 417, 418, 420, 421, 422, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per prosecution case, informant, namely Mukesh Kumar, alleged that on 10.03.2022, these petitioners, along with other F.I.R. named accused persons, induced the informant and his wife for an agreement with co-accused Nitesh Kumar Verma for installation of biogas plant and on such inducement, the informant gave a sum of Rs. 34,50,000/- to co-accused Nitesh



Kumar Verma, however, thereafter, the accused persons refused to install the plant or return the money. It is further alleged that the accused persons agreed to return the money in equal monthly installments of Rs. 80,000/- per month but till date, no money has been given. It is lastly alleged that the accused persons issued a cheque on 11.12.2023, however, the same also bounced.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that entire money was paid by the informant to co-accused Nitesh Kumar Verma, who also gave a receiving on the stamp paper. It is not the case of the prosecution that a single farthing was given to these petitioners. There is no documentary evidence on record to suggest the involvement of these petitioners in the alleged offence. As a matter of fact, Petitioner No. 1 is a shopkeeper and informant used to purchase fruits from his shop on credit and when he asked for his due money, informant started doing quarrel and then, Petitioner No. 2 intervened and tried to resolve the dispute and in retaliation, petitioners have falsely been implicated in this case. Petitioners claim clean antecedents.



5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, fact that no money was given to these petitioners or transferred in the account of these petitioners and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged 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, Khagaria in connection with Khagaria P.S. Case No. 516 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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