

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74619 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- DUMRAO District- Buxar

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1. Ravi Kumar Upadhyay Son of Surendra Upadhyay Resident of Village - Renka, P.S. - Sikraul, District - Buxar
 2. Krishan Kumar Pandey @ Krishna Kumar Pandey Son of Late Shiv Pujan Pandey Resident of Village - Koni, P.S. - Dinara, District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Bihari Tiwary S/O- Dinanath Tiwary R/O Vill and P.O.-Nenua P.S.- Dumraon, Dist- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr.Kamal Deo Sharma, Adv.
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 27-03-2025 Heard learned counsel for the petitioners and informant as well as learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dumraon P.S. Case No. 237 of 2024 for the offence under Sections 467, 468, 471, 420/34 of the Indian Penal Code.

3. It is a case of monetary dispute between the petitioners and opposite party no. 2. Allegation against the petitioners is that he has embezzled an amount of Rs. 10,00,000/- (ten lakhs) from the informant, namely Ram Bihari



Tiwary by way execution of forged sale deed.

4. Learned counsel for the petitioners submits that petitioners are quite innocent, committed no offence and has falsely been implicated in this case. Prosecution story is totally false and concocted. As per FIR, the date of occurrence is 15.04.2024 but FIR has been lodged on 08.07.2024 without any explanation of inordinate delay.

5. During course of hearing, learned counsel for the petitioners submits that petitioner is ready to pay the due amount of Rs. 6,50,000/- to the informant, Ram Bihari Tiwary in three installments. Out of which, he will pay Rs. 2,00,000 (two lakhs) at the time of filing bail bond in court below as first installment and rest amount i.e. Rs. 4,50,000/- will be paid in two equal installments within two months. Learned counsel appearing on behalf of informant also agreed on this point.

6. Keeping in view the aforesaid facts and amicable settlement between the parties, this Court is inclined to enlarge the petitioners on anticipatory bail **provisionally** till disposal of this case. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 237 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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