

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83818 of 2024

Arising Out of PS. Case No.-600 Year-2023 Thana- BARH District- Patna

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Anil Mishra @ Anil Kumar Mishra S/O Late Ramesh Kumar Mishra R/O Mohalla - Barh Bazar, Gopi Asthan, Chuna Khari Mohalla, P.S - Barh, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Kumar S/O Late Fakir Saw R/O Vill- Talimpur , Ward No.- 13, P.S- Barh , Dist- Patna
3. Shambhu singh s/o- Rama singh R/O- vill-Sahari, P.S.- Barh, District- Patna
4. Binod Singh S/o- Rama Singh R/O- Vill- Sahari, P.S.- Barh, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Kashyap, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
	:	Mr. Gyanendra Kumar Singh, Advocate
	:	Mr. Pankaj Kumar Das, Advocate
	:	Mr. Satyendra Prasad Singh, Advocate
	:	Mr. Harsh Kumar Singh, Advocate
	:	Ms. Minu Kumari, Advocate
	:	Mr. Tej Narayan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 23-04-2025 Heard the parties. Perused the case diary.

2. The petitioner seeks bail in connection with Barh P.S. Case No. 600 of 2023 instituted for the offences under Sections 406, 420, 506, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that this petitioner, a land broker, took Rs. 15.28 lakhs from the informant for a 13 dhur plot owned by Binod Singh and Shambhu Singh but sold the same to someone else and kept most of the money. When the



informant demanded the money back, the petitioner threatened him with dire consequences.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that petitioner is only the land broker who only took his share, i.e. Rs. 3,28,000/- from the informant. Learned counsel further submitted that petitioner has already returned Rs. 2,50,000/- to the informant and is also ready to return Rs. 50,000/- to the informant in installments. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.08.2024 and has six criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant raised no objection to the prayer made on behalf of the petitioner for returning the amount, i.e. Rs. 50,000/- to the informant.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner as also since the petitioner is ready to return the aforesaid amount to the informant, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh P.S. Case No. 600 of 2023, subject to the following conditions:

(I) Petitioner shall return Rs. 20,000/- (Twenty Thousand) in the accounts of the informant within one month after his release on bail bonds.

(II) Petitioner shall return the remaining amount, i.e. Rs. 30,000/- in the account of the informant in two equal installments of Rs. 15,000/- (Fifteen Thousand) each within the next two months. If the petitioner violates any condition/s, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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