

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84644 of 2024

Arising Out of PS. Case No.-71 Year-2023 Thana- NAYAGAON District- Begusarai

Kailash Pati Singh S/o Ramdev Singh R/O Village- Baruari, Ward no 05,
P.O.- Baruari, P.S. and District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shambhu Paswan S/O Kamleshwan Paswan R/O Vill- Mahmadpur
Gautam ,P.S.- Nayagaon Dist-Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kalpana, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

Mr. Braj Bhushan Poddar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the Opposite Party
No. 2.

2. The petitioner apprehends his arrest in a case
registered under Sections 420 and 406 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that this
petitioner took Rs. 6 lakhs from complainant/opposite party no.2
on the assurance that he would provide a government job to the
sons of complainant.

4. Learned counsel appearing for the petitioner denies the
allegation and submits that petitioner is innocent and has falsely
been implicated in the present case due to enmity. Petitioner has



never taken any money from the complainant. However, he submits that as per agreement which was made between the petitioner and the complainant, petitioner borrowed Rs. 1 lakh from the complainant, and he is ready to return the same. Petitioner claims clean antecedent.

5. Considering the aforesaid contention made on behalf of the petitioner, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Nayagaon P.S. Case No. 71 of 2023, arising out of Complaint Case No. 848 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with direction to the petitioner that :-

i. Petitioner shall deposit Rs. 1,00,000/- (One Lakh) in the *Nazarat* and will produce the receipt of the same at the time of furnishing bail-bond in the Court below, failing which, the learned Court below would be at liberty to cancel the bail-bond.

6. It is made clear that this order has been passed for the purpose of bail without going into the merit of the case, and the



payment of aforesaid amount shall be subject to the final
outcome of the case.

(Prabhat Kumar Singh, J)

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