

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83872 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- KHAGARIA District- Khagaria

Ranjeet Kumar S/o Late Parmanand Prasad R/o Village - Bhutauli Malpa, PS-
Chautham, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Kumar S/o Late Ram Mahto R/o vill - Labhgaun, ward no. 5, P.s. -
Gangaur, Distt.- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No. 13, Advocate Mr. Rohit Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam, APP
For the Informant	:	Mr. Yogesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard Learned Counsel for the petitioner, Learned

Counsel for the Informant/O.P. No.2 and Learned APP for the

State.

2. The present criminal miscellaneous application has

been filed under Section 482 of the Bharatiya Nagarik Suraksha

Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for

grant of anticipatory bail to the petitioner who apprehends arrest

in connection with Khagaria P.S. Case No.101 of 2024, lodged

on 15.02.2024, under Sections 420/416/419/468/406/411 of the

Indian Penal Code.

3. As per the prosecution, FIR has been lodged against

two named accused persons including the present petitioner.



Allegation is that in the name of taking admission in Bed. Course, the petitioner has deposited Rs.95,000/- through receipt on which due has been shown Rs.1,1000/-, but either one pretext or other the institution could not be recognized. Due to which, the informant's money was kept with the accused institution.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that he has not committed any fraud rather he tried his best to open the institute but due to non-grant of license the B. Ed. College could not be opened. Counsel submits that the said Rs. 95,000/- has honestly been returned at the time of granting bail to the other accused persons before the Trial Court itself.

5. Learned Counsel for the Informant vehemently opposed the prayer for bail and submits that the said money was intentionally deposited by the petitioner in the Civil Courts' Treasury and not handed over to the petitioner.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the allegation it transpires that petitioner's Rs.95,000/- has been taken in the name of study for the B.Ed. Course.

7. As such, in the present facts and circumstances of



this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Khagaria, in connection with Khagaria P.S. Case No.101 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. As well as the petitioner is directed to prepare a Demand Draft of Rs.95,000/- in the name of the informant/Opposite Party No.2 before production of the bail bond and the said D.D. of Rs.95,000/- shall be handed over to the informant/Opposite Party No.2. The said Rs.95,000/- earlier deposited in the treasury shall be returned subject to result of the case.

(Dr. Anshuman, J)

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