

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88549 of 2024

Arising Out of PS. Case No.-595 Year-2022 Thana- PAROO District- Muzaffarpur

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1. Vipendra Kumar @ Dipendra Kumar Son of Rajeshwar Sah @ Rajesh Sah Resident of Village - Dhum Nagar, P.S. - Motipur, District - Muzaffarpur
 2. Vikram Kumar Son of Rajeshwar Sah @ Rajesh Sah Resident of Village - Dhum Nagar, P.S. - Motipur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Paroo P.S. Case No. 595 of 2022, registered for the offences under Sections 406, 420, 120(B), 467 and 468 of the Indian Penal Code.

03. As per prosecution case, the petitioners and other co-accused persons duped Rs. 25,00,000/- from the complainant/informant promising him to make *crorepati* through a magical golden brick.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. True fact of the case is that the petitioners had been working in the agricultural field of the informant and took loan



of Rs. 10,000/- from the informant in the year 2020 during Covid-19 period but later on the informant refused to accept the loan amount and demanded Rs. 50,000/- saying that the said amount was an advance for execution of a sale deed of land of the petitioner. However, the petitioners and their family members paid Rs. 21,000/- to the informant in four installments through UPI in the account of the son of the informant from 21.12.2022 to 06.01.2023. Learned counsel further submits that there is no documentary evidence to show any money transaction in favour of the petitioners. During investigation it has also come that there was some land dispute between the parties. Learned counsel for the petitioners further submits that similarly situated co-accused persons have been granted anticipatory bail by this Court vide orders dated 22.02.2024 and 10.05.2024 passed in Cr. Miscellaneous Nos. 7985 of 2024 and 5060 of 2024, respectively. The allegations are general and omnibus against all the accused persons and there is no specific allegation against this petitioners. Petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against the petitioners without any



substantive material and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Judicial Magistrate-1st Class, West, Muzaffarpur/court concerned in connection with Paroo P.S. Case No. 595 of 2022,, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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