

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.510 of 2025

Arising Out of PS. Case No.-2883 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Shanti Devi W/O Rajendra Bhagat R/O Shiksha Nagar Banmankhi, P.S- Banmankhi, Distt.- Purnia and permanent resident of Vill- Orahi, P.S- Barhara Kothi, Distt.- Purnea.
 2. Rajendra Bhagat S/O Late Bechan Bhagat R/O Shiksha Nagar Banmankhi, P.S- Banmankhi, Distt.- Purnia and permanent resident of Vill- Orahi, P.S- Barhara Kothi, Distt.- Purnea.
 3. Ashok Bhagat S/O Rajendra Bhagat R/O Shiksha Nagar Banmankhi, P.S- Banmankhi, Distt.- Purnia and permanent resident of Vill- Orahi, P.S- Barhara Kothi, Distt.- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Om Prakash Swarnkar S/O Late Laxmi Narayan Sah R/O Village- Banmankhi, Ward No.-11, P.S- Banmankhi, Distt.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 14-05-2025 Heard learned counsel for the petitioners, learned
counsel for the complainant and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 2883 of 2023, F.I.R. dated 04.12.2023, for the offences punishable under Sections 323, 406, 420, 467, 468, 504 of the Indian Penal Code.

3. According to prosecution case, the petitioner had taken a amount with tune of Rs. 5,23,000/- on different dates from the complainant and not executed the sale deed on the land



in question.

4. Learned counsel for the petitioners submit that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the petitioners are ready to deposit the amount in question before the learned court below subject to the outcome of the present case.

5. Learned counsel for the complainant submits that if the petitioners deposit the amount in question in the learned court below, he has no objection.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of eight weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 2883 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with other following conditions:-



i. Petitioners are directed to deposit Rs. 5,25,000/- in the learned court below at the time of furnishing bail bond and learned court below is directed to expedite and conclude the complaint case on the day to day basis and if the petitioners succeeded in the aforesaid complaint petition, the amount which was deposited before the court below shall be returned back to the petitioners and if the petitioners did not succeed in the complaint case, the amount in question shall be handed over to the complainant.

ii. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

iii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ranjeet/-

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