

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.129 of 2025

Arising Out of PS. Case No.-1415 Year-2023 Thana- NAWADA District- Nawada

Prithish Kumar Sinha S/O Prem Prasad Sinha R/O Village- Birnol, P.S- Atri,
Distt.- Gaya.

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Mani Kumar S/O Ramjee Prasad R/O Village- Purani Bajar Nawada, P.S-
Nagar, Distt.- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 23-07-2025 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420 and 406 of IPC .

3 . As per prosecution case , informant namely Mani Kumar alleged that on 27.08.2022 , accused Devanand Prasad and this petitioner received consideration money of Rs. 10,14,000/- (Rs. 7,14,000/- in cash and Rs. 3,00,000/- via Phonepe) with a promise to execute the registry within 15 days . It is further alleged that after receiving the aforesaid money , accused persons neither executed the registry nor returned the money .



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence . However, at this stage, without admitting his guilt, by filing supplementary affidavit, petitioner undertakes to deposit the disputed defalcated amount amounting to Rs. 7,14,000/- (Rupees seven lacs fourteen thousand only) to the informant.

5 . Considering the nature of accusation and aforesaid undertaking of the petitioner, prayer for grant of anticipatory bail to the petitioner is allowed.

6. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Nawada in connection with Nawada Town P.S. Case No. 1415 of 2023 , subject to conditions as laid down under Section 438 (2) of Code of Criminal Procedure , along with the following terms and conditions:

- A.** Petitioner shall pay the alleged defalcated amount amounting to Rs. 7,14,000/- (Rupees seven lacs fourteen thousand only) at the time of furnishing bail bond through demand draft in the name of the informant.
- B.** A receipt of aforesaid payment, shall be



furnished at the time of furnishing bail bond.
C. If petitioner fail to comply the aforesaid direction of this Court, the Court below is free to cancel the bail-bond of the petitioners.

7. It is made clear that without going into the merit of the case, the aforesaid order has been passed only for the purpose of grant of bail.

(Prabhat Kumar Singh, J)

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