

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5439 of 2026

Arising Out of PS. Case No.-234 Year-2024 Thana- BUXAR District- Buxar

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1. Brij Kishore Upadhyay @ Mohan Upadhyay S/O Late Laxaman Upadhyay
R/O Village- Ahirauli, P.S.- Buxar Industrial, Distt.- Buxar
 2. Gopi Narayan Upadhyay S/O Brij Kishore Upadhyay @ Mohan Upadhyay
R/O Village- Ahirauli, P.S.- Buxar Industrial, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Chandra Bhushan Upadhyay, Advocate
For the Opposite Party/s :	Mr.Ganesh Prasad Singh, APP
	Mr.Uma Shankar Singh, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 08-07-2026 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in Buxar Town P.S. Case No. 234 of 2024, registered for the offence under Sections 341, 323, 406, 420, 379, 504, 506/34 of the Indian Penal Code.

3. Allegation against petitioners is that they took total Rs. 10 Lakhs from the informant in lieu of providing employment to informant's son on the post of Assistant in the Patna High Court, but neither they provided employment to informant's son nor returned the alleged money and when informant demanded his money, he was threatened and assaulted



by these petitioners.

4. Petitioners deny the allegation made in the F.I.R. and submit that petitioner no. 2 and son of informant are business partners and they used to deal in land, but after sometime, some dispute arose between them and with ill motive, informant has filed this false and baseless case on the basis of concocted story. However, by way of filing supplementary affidavit, learned counsel for the petitioners submits that petitioners are ready to return Rs. Five Lakhs to informant against the alleged amount of Rs. Ten Lakhs through demand draft and accordingly, he hands over the demand draft to the counsel for informant, namely, Uma Shankar Singh, vide D.D. No. 451831 dated 02.07.2026, issued by the Canara Bank, Buxar in favour of Bhrighunath Ojha (informant) amounting to Rs. 5,00,000/- (Five Lakhs), which was candidly accepted by learned counsel for the informant.

5. In the facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with



Buxar Town P.S. Case No. 234 of 2024, subject to condition as
laid down under Section 438(2) of the Cr.P.C. / Section 482(2)
of the B.N.S.S.

(Prabhat Kumar Singh, J)

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