

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45709 of 2017**

Arising Out of PS.Case No. -297 Year- 2017 Thana -BAHADURPUR District- DARBHANGA

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1. GANDHI KAMTI @ GHANDHI KAMTI Son of Ram Gulam Kamti @  
Ram Gulab Kamti, R/o Village- Haripatti Sinuar, P.S.- Bahadurpur, and  
District- Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ratan Kumar Kumar, Advocate

For the Opposite Party/s : Mr. S.M. Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      19-09-2017      Heard learned counsel for the petitioner.

The petitioner seeks regular bail in connection with  
Bahadurpur P.S. Case No. 297 of 2017, registered for the offence  
punishable under Sections 406,420/34 of the Indian Penal Code

According to the prosecution case, the accused namely  
Manish Kumar Chaudhary, had misguided the informant and his  
co-villagers to the effect that for purposes of having home loan  
under the Prime Minister Yojna, a bank account is to be opened  
with an amount of Rs. 6,400/- whereafter, a loan of Rs. 3,00000/-  
can be given and in case a bank account is opened with Rs.  
12,000/-, a loan of Rs. 5-6,00000/- can be disbursed. Accordingly,  
several villagers had approached him by giving money for the  
purpose of opening the bank account and for grant of loan.  
However, the said accused person neither opened the Bank



accounts nor returned the money.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR, he has no role to play the alleged occurrence. He has been falsely named during the course of investigation on account of villager's rivalry. It is submitted that the petitioner has neither taken any money from the co-villagers nor he has any connection with Manish Kumar Chaudhary. Lastly, it is submitted that the main accused namely Manish Kumar Chaudhary has already been granted bail by learned Sessions Judge, Darbhanga in B.P. No. 553 of 2017 by an order dated 08.08.2017. He further submits that the petitioner has a clean antecedent and is in custody since 22.07.2017.

Having regard to the facts and circumstances of the case, I find that this is a fit case in which the petitioner should be released on bail. Accordingly, the above named petitioner is directed to be released 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 Sub Divisional Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 297 of 2017.

**(Mohit Kumar Shah, J)**

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