

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25133 of 2021**

Arising Out of PS. Case No.-207 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

TEJ BALI MISHRA SON OF BALBHADRA MISHRA R/O MUHALLA-  
NIRANJAN BIGHA, P.S.- DEHRI ON SONE, DISTRICT- ROHTAS.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                                   |
|--------------------------|---|-----------------------------------------------------------------------------------|
| For the Petitioner/s     | : | M/s Yogesh Chandra Verma, Sr. Advocate<br>Rajani Ranjan Pd. Singh, Tarakant Rishi |
| For the Opposite Party/s | : | Dr. Ajeet Kumar, APP                                                              |
| For the Informant        | : | Mr. Shiv Pd. Gupta, Advocate                                                      |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      15-12-2021                      Heard learned senior counsel for the petitioner,  
learned APP for the State and learned counsel for the informant.

The petitioner has preferred this application for grant  
of regular bail in a case registered under sections 420, 406, 380  
and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the  
informant that while he was counting Rs. 21 lacs in his home his  
two tenants which included the petitioner herein came there.  
After sometime they went away and returned offering him tea  
and snacks. On consuming the same, it is stated that he got  
intoxicated and fainted. On regaining consciousness, the  
accused persons including the petitioner herein had escaped and  
his Rs. 21 lacs in cash was missing.



It is submitted by learned senior counsel for the petitioner that the petitioner has been falsely implicated in the case because of dispute between the parties relating to tenancy. The informant was pressurising the petitioner for payment of arrears of rent as also for vacating the flat. The petitioner having vacated the flat, as a result of dispute for arrears of rent, this false case has been registered against the petitioner. While the occurrence is alleged to have taken place on 16.1.2019, the FIR was registered more than four months later on 3.6.2019 without any reasonable explanation for the delay. The petitioner is in custody since 8.1.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but there is direct allegation against him of having stolen Rs. 21 lacs of the informant after spiking his tea and food item.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation in the FIR, the delay in lodging of the FIR together with the petitioner having remained in custody for more than 11



months, the petitioner is directed to be enlarged on bail in connection with Udwantnagar P.S. Case no. 207 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara.

**(Partha Sarthy, J)**

Spd/-

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