

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23731 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- DUMRAO District- Buxar

Subedar Yadav S/o Bhagatu Yadav @ Bhagelu Yadav R/o village- Akalupur,
P.S.- Dumraon, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Singh, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 12-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dumraon P.S. Case No. 104 of 2022 lodged under Sections 406,
420, 467, 468, 120(B)/34 of the Indian Penal Code.

As per the F.I.R., there is a specific allegation against
the present petitioner that he has played the role of broker and
on his promise the informant has paid Rs. 5,00,000/- to him and
Rs. 10,00,000/- to land owner. Upon registration it transpires
that the land was a disputed land and already sold to another
person in the year 2012 itself. Upon getting knowledge, the
informant started demanding his money. Upon instance of the

petitioner, the Panchayati took place but matter could not be resolved, thereafter, the present F.I.R. has been lodged.

Learned counsel for the petitioner submits that petitioner is in custody since 02.03.2022. He submits that he is a true broker and man of words. He further submits that he is ready to return Rs. 5,00,000/- to the informant but only within 45 days after release from the jail. He has having clean antecedent, charge sheet has already been filed in this case.

Informant appeared in this case and submits that if the petitioner shall release on the condition that he shall return his Rs. 5,00,000/- within 45 days from the date of his release then he shall not oppose the bail application. According to him, he is not interested to keep any person behind the bar. He is only interested to return his money which has been taken from him by committing fraud by the petitioner.

Learned counsel for the State opposes the prayer for bail.

Upon considering the arguments of the parties, let the petitioner above named, be granted provisional bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty thousand) with two sureties with a direction that if the petitioner pays Rs. 5,00,000/- within 45 days to the informant through bank

instrument before the trial court then his bail bond shall be confirmed otherwise after lapse of 50 days, his bail bond shall be cancelled.

With this observation, the bail application is disposed of.

(Dr. Anshuman, J)

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