

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28779 of 2022

Arising Out of PS. Case No.-174 Year-2020 Thana- KHAJEKALA District- Patna

RAJ KUMAR SON OF JAMUNA PRASAD RESIDENT OF MOHALLA-
GURHATTA IN FRONT OF SANJAY PRESS, P.S. KHAJEKALAN,
DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-07-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in connection with a case registered under sections 420, 406, 467 and 34 of the Indian Penal Code and section 138 of the N.I. Act.

It is submitted by learned counsel for the petitioner that the allegation against the petitioner relates to transaction of money which is seriously disputed. It is further submitted that the petitioner vide order dated 22.2.2021 was directed to be enlarged on bail on his having undertaken to pay Rs.6 lacs in instalments as mentioned in the said order. It is submitted that in fact, the petitioner was himself in custody and the same was undertaken at the instance of the pairwikar without any specific instructions on the same by the petitioner. The petitioner is an



old man and not capable of paying the said amount. Inspite of grant of bail, although, conditionally by order dated 22.2.2021 and not having made payment of the amount, the petitioner has remained in custody for a further period of one year four months. Thus, it is prayed that he may be enlarged on bail.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the submissions made on behalf of the petitioner together with the petitioner having remained in custody since 1.10.2020, the Court directs the petitioner to be enlarged on bail in connection with Khajekalan P.S. Case no.174 of 2020 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 Sub Divisional Judicial Magistrate, Patna City.

(Partha Sarthy, J)

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