

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35918 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- BARURAJ District- Muzaffarpur

Md. Meraj, Son of Late Sheikh Idrish, R/O Village- Baruraj, P.S.- Baruraj,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The case is registered under Sections 406, 420, 467,
468, 471 and 120(B) of the Indian Penal Code in connection
with Baruraj P.S. Case No.66 of 2021.

As per the prosecution story, it is alleged that this
petitioner along with Mojib lured the informant Md. Anis Alam
to sell a land of one Sudha Devi and accordingly took
Rs.15,00,000/-. Further allegation is that the deed was
subsequently executed. However, when he went to the said land,
a lady appeared and told him that she is Sudha Devi and had
never sold any land. It was then that the informant realized that
he has been duped of the aforesaid amount. The FIR thereafter



came to be instituted.

Learned counsel for the petitioner submits that it was under bonafide believe that the land owner who had appeared is Sudha Devi, he took initiative and accordingly the deed was executed. Later it was his realization that the land does not belong to the lady who had appeared on the scene. He as such submits that without accepting the guilt, he is ready to pay Rs.6,00,000/- through Demand Draft issued by the State Bank of India, local Branch in favour of the informant, Md. Anis Alam.

Taking into account the fair submission of the learned counsel for the petitioner as also the fact that he is in custody since 12.05.2022 coupled with the fact that the charge-sheet stands submitted, this Court is inclined to grant him privilege of bail subject to payment of Rs.6,00,000/- through Demand Draft issued by the State Bank of India, local Branch in favour of the informant Md. Anis Alam.

Let the petitioner be released on bail (subject to payment of Rs.6,00,000/- through Demand Draft issued by the State Bank of India, local Branch in favour of the informant Md. Anis Alam) and the same shall be handed over to the informant by the Trial court after verifying his identify through



Aadhar/Voter ID etc. on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each in connection with Baruraj P.S. Case No.66 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Muzaffarpur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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