

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36614 of 2022**

Arising Out of PS. Case No.-64 Year-2022 Thana- TURKAULIYA District- East Champaran

LAXMAN PRASAD SON OF LATE GANESH PRASAD RESIDENT OF  
MOHALLA- MAIN ROAD MOTIHARI BESIDE BARI MASJID, P.S.-  
MOTIHARI TOWN, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Ajay Mishra, A.P.P  
Mr. Jitendra Narain Sinha, Advocate

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      27-09-2022      Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under sections 406/420/34 of the I.P.C.

Allegedly, all the FIR named accused persons including the petitioner is said to have cheated the money of informant in the name of registering the property in his favour.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case due to enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that no any assurance whatsoever has been ever given by the petitioner to the informant regarding giving loan to his youngest brother. The said property in question is the concern of his youngest brother Rajkishore Prasad and petitioner has nothing to do with this firm. No document or agreement has been placed before the police authority which can prove that petitioner has agreed to make the payment. It is further submitted that petitioner is living separately with his family and has nothing to do with the other accused persons. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail but has not denied the fact that the said money was given to Raj Kishore Prasad @ Munna.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Turkauliya P.S. Case No. 64/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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