

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48989 of 2021

Arising Out of PS. Case No.-663 Year-2019 Thana- PATNA RAIL P.S. District- Patna

SOM NATH SAH @ RAJESH SAH @ RAJESH Son of Late Rajendra Sah
Resident of Village - Sinduari, P.S.- Sadar Hazipur, Dist.- Hazipur (Vaishali).
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with Patna
Junction P.S. Case No. 663 of 2019 instituted for the offence under
Section 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.12.2019, is a person with clean
antecedent and charge-sheet has been submitted in this case.

The informant alleges that she met the petitioner at Patna
Railway Junction who was a coolie and he assured the informant that
he would get any unemployed in her family a job, on which
informant gave him Rs.25,000/-, thereafter, the unemployed brother
of the informant was called by the petitioner and assured that he will
get the job, thereafter the petitioner vanished and again when



informant came to Patna Railway Station on some other occasion, she identified the petitioner and thus, the petitioner was caught and he disclosed before the police that he indulges in cheating on pretext of getting job.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. No prudent person will part with Rs.25,000/- merely on an assurance by an unknown person. Learned counsel further submits that if what has been alleged in the FIR is true then the informant is equally liable to be prosecuted because she abetted the petitioner in committing an illegal act.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna in connection with Patna Junction P.S. Case No. 663 of 2019.

(Satyavrat Verma, J)

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