

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50863 of 2022

Arising Out of PS. Case No.-210 Year-2021 Thana- SHASTRINAGAR District- Patna

ALOK KUMAR Son of Sh. Mahesh Poddar Resident of Asmi Apartment,
Flat No.- 102, Digha Ghat, P.O. and P.S.- Digha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Advocate
	:	Mr. Bikramdev Singh, Advocate
For the informant/s	:	Mr. Bajrangi Lal, Advocate
	:	Mr. A.K. Ghosh, Advocate
	:	Mr. P. K. Sinha, Advocate
For the Opposite Party/s	:	Mr.Shyameshwar Dayal, A.P.P

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-12-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under sections 406, 409, 420, 504, 506 and 120B of the Indian Penal Code.

As per the prosecution case, on the assurance of co-accused Chandan Pandey, the informant paid Rs. 32 lakhs in the account of Bhu Samriddhi Private Limited Company for getting 2,400 Sq. Feet of land registered in her favour. It is further



alleged that the co-accused Chandan Pandey has stated that he is the owner of the said land. Despite taking the said consideration amount the co-accused person denied to execute the said sale-deed and also threatned her. The co-accused person Chandan Pandey returned Rs.3.40 lakhs to the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The co-accused Chandan Pandey has already returned Rs. 3 lakh 40 thousand. The petitioner is not directed involved in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by the Co-ordinate Bench vide order dated 11.04.2022 passed in Cr. Misc. No. 8597 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.05.2022.

Learned A.P.P. for the State and the learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has submitted that the co-accused Chandan Kumar in connivance with the petitioner and other co-accused persons cheated the informant. The petitioner is one of the directors of the said company.



Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Shastrinagar P.S. Case No. 210 of 2021, with a condition that :-

1) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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