

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8609 of 2023

Arising Out of PS. Case No.-498 Year-2021 Thana- BASANTPUR District- Siwan

Subhakar Singh Son Of Late Hare Ram Singh R/O Katalpur Babu Tola, P.S-
Baikathpur, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha
For the Opposite Party/s	:	Mr.Amit Kumar Rakesh
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 420,506/34 of the IPC and Section 138 of N.I. Act.

As per prosecution case, the petitioner along with co-accused persons gave allurement to the informant to sell the land and received Rs. 22 lac in their account but agreed piece of land was not sold to the informant rather the accused persons got another plot registered and when the informant demanded the entire amount, petitioner and co-accused, namely, Brajesh Kumar Singh returned the amount



through two cheques but both the cheques were bounced due to insufficient amount in the bank.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged occurrence and he has not executed any sale deed in favour of the informant and has never talked in respect of sell of any land to the informant rather blank cheque of the petitioner has been misused by the informant. The petitioner has got no criminal antecedent. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 20.04.2023 passed in Cr. Misc. No. 50261 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 16.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is



directed to be released on bail in connection with Basantpur
P.S. Case No. 498 of 2021 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned CJM Siwan.

(Sunil Kumar Panwar, J)

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