

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.466 of 2023

Arising Out of PS. Case No.-48 Year-2019 Thana- ASHTHAWAN District- Nalanda

Jairam Tanti Son Of Late Inderdeo Tanti @ Inder Dev R/V- Baghi, P.S-
Warsaliganj, Dist- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Arvind Choudhary Son of Nageshwar Choudhary R/V- Dharhara, P.O- Andi,
P.S- Asthawan, Dist- Nalanda

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anil Chandra

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-07-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
07.12.2022 passed by learned Additional Sessions
Judge, 2nd, Nalanda at Biharsharif in connection with
Asthawan P.S. Case No. 48 of 2019 instituted for the
offences punishable under Sections 420, 504, 506, 34
of the Indian Penal Code and Sections 3(1)(r)(s) of the
SC/ST Act whereby his prayer for being released on bail
has been rejected.

It is alleged against the appellant that he took



Rs. 4,40,000/- as loan from the informant for purchase of a piece of land and assured to return the amount and in case, he does not return the amount, he would execute a sale deed for the land equivalent to money given to him. After some time, when the informant demanded his money back, the appellant refused to return the money and abused the informant by calling caste name.

It is submitted by learned counsel for the appellant that appellant has already paid the money which was given by the informant.

Learned counsel appearing on behalf of the informant does not controvert the aforesaid submission of the appellant and submitted that appellant has paid the money to the informant.

The appellant is in custody since 22.07.2022.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 07.12.2022.



Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 2nd, Nalanda at Biharsharif in connection with Asthawan P.S. Case No. 48 of 2019.

(Sunil Kumar Panwar, J)

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