

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14820 of 2022

Arising Out of PS. Case No.-56 Year-2021 Thana- DHAKA District- East Champaran

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MUKUL RANJAN SON OF SHRIKANT SHARMA @ SRIKANT
SHARMA R/O VILLAGE- SARATHA, P.S.- DHAKA, DISTRICT- EAST
CHAMPARAN Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-01-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 409 of the
Indian Penal Code.

As per the prosecution case, the petitioner did not
supply the goods as per agreement entered into for work under
Har Ghar Nal Jal Yojana inspite of having received a total sum
of Rs. 12,24,950/- and thus the FIR.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The
goods were supplied and the dispute is relating to accounting
etc,. In any case the dispute is civil in nature and for this the
petitioner has remained in custody since 2.12.2021. Charge
sheet has been submitted in the case.



The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner has not carried the work inspite of having received the aforesaid amount and thus this is not a fit case for grant of bail.

At this stage it is submitted by learned counsel for the petitioner that the informant has herself been made an accused in course of investigation and it is only to set up her defence that she is opposing this application.

Having heard learned counsel for the parties and taking into consideration the nature of allegation especially the petitioner having remained in custody for more than a year since 2.12.2021 and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Dhaka P.S. Case no. 56 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran.

(Partha Sarthy, J)

Prakash/-

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