

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20763 of 2023

Arising Out of PS. Case No.-650 Year-2022 Thana- NAWADA District- Nawada

Subodh Kumar Son Of Late Dwarika Mahto R/V- Merhkuri, P.S- Meskaur
(O.P) (Sirdala) Dist- Nawadah At Present Residing At Akari, Pandey Bigha,
P.S- Narhat Dist- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammed Abu Haidar
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 406, 420 and 34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioner along with other co-accused person, namely, Chandan Kumar Pathak is that they cheated the informant by taking his Rs. 5,66,830/- in the name of entering in the business of Recharge business and Insurance Company.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous dispute between the parties. There is delay of more than two years in



lodging the FIR which creates doubt on the authenticity of the prosecution version. It is further submitted that petitioner has not committed any fraud with the informant and nothing consistent material has come against him. Similarly situated other co-accused person, namely, Chandan Kumar Pathak has already been granted bail by this Court vide order dated 23.08.2023 in Cr. Misc No. 32570 of 2023. Moreover, the petitioner is languishing in judicial custody since 04.01.2023.

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

6. 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 Nawada Town P.S. Case No. 650 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, 1st Class, Nawada.

(Sunil Kumar Panwar, J)

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