

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40984 of 2023

Arising Out of PS. Case No.-604 Year-2022 Thana- DANAPUR District- Patna

RINKU KUMAR @ RINKU SINGH S/O SANJAY KUMAR SINHA R/O
Janakdhari Lal Road, Bhattipar, Arya Samaj Mandir Road, P.O- Danapur
Cantt, P.S- Danapur, Distt.- Patna, At present Village- Basti Eastern of Rail
Chakka, P.S- Dhanaut, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-07-2023 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.

2. Heard learned counsel for the petitioner and learned

A.P.P for the State.

3. The petitioner has preferred this application for

grant of regular bail in connection with Danapur P.S. Case No.

604 of 2022 dated 29.06.2022 registered for the offences

punishable u/s 420 and 406 read with Section 34 of the Indian

Penal Code.

4. As per the prosecution case, the petitioner and the

co-accused persons are alleged have entered an agreement to



sale of a house with the informant and took Rs. 72 lakhs from the informant and sale deed was not executed. The petitioner sold the same in favour of his brother-in-law, Tinku Kumar by registered sale deed.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is accused in one criminal case as stated in para 3 of the bail petition. It is a case of civil disputes. The petitioner is in custody since 21.01.2023. Learned counsel for the petitioner placed reliance on the judgment in the case of **Bimla Tiwari vs. State of Bihar & Others (Special Leave Petition (CRL.) Nos. 834-835 of 2023)** at para 10, the Hon'ble apex court has held that "we would reiterate that the process of criminal law cannot be utilized for arm-twisting and money recovery, particularly while opposing the prayer of bail."

6. Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, 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, Danapur (Patna) in connection with Danapur P.S.
Case No. 604 of 2022 with the condition :-

(i) 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, his bail bonds are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

