

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44390 of 2022

Arising Out of PS. Case No.-79 Year-2020 Thana- TANKUPPA District- Gaya

UPENDRA PRASAD Son of Karu Yadav Resident of Village - Gaur Bigha,
P.S.- Bodhyaga, Distt.- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kr. Pandey, Advocate
	:	Mr. Subodh Kr. Barnwal, Advocate
For the Opposite Party/s	:	Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-02-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Tankuppa PS case no. 79 of 2020 instituted for the offences punishable under Sections 406, 420, 467, 468, 419 of the Indian Penal Code.

The petitioner is alleged to have duped the informant after having influenced her into getting ready to purchase a L.I.C. Policy with the H.D.F.C. Bank and then he is stated to have taken a sum of Rs. 20,000/-, however, after the death of the husband of the informant, no insurance amount was given to the informant, whereupon, and then the petitioner is alleged to have taken a sum of Rs. 80,000/- from the informant on the pretext of getting the informant a job as



an *Anganwadi Sewika*, however, that too was not accorded to her.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 24.05.2022. The learned counsel for the petitioner has further submitted that there is no material available on record to suggest that any money had ever been given by the informant to the petitioner and only on account of certain personal grudge, the petitioner has been falsely implicated in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that there is no proof of money having been handed over to the petitioner apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since more than 06 months, I deem it fit and appropriate to direct for release of the petitioner on bail, on furnishing bail bond of Rs. 10,000/-



(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Gaya in connection with Tankuppa PS case no. 79 of 2020.

(Mohit Kumar Shah, J)

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