

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53934 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- BIKRAM District- Patna

Akhilesh Kumar Son Of Late Ram Naresh Singh Resident Of Village - Ward
No.5 Alipur Bharatpura, P.S. - Dulhin Bazar, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-11-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 467, 468, 420, 419, 406, 504, 506 of the Indian Penal Code and Section 138 of N.I. Act.

3. Allegation against the petitioner is that he committed fraud with the informant by taking Ninety Three lakhs and ten thousand from him for the purpose of giving land. When the land was not given in favour of the informant then he demanded his money for which petitioner gave multiple cheques to the informant which were bounced.

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. Moreover, the petitioner is languishing in judicial custody since 19.04.2023.

By way of supplementary affidavit, it is submitted from para-3 that compromise petition dated 14.09.2023 in which total of Rs. 28,00,000/-(Twenty Eight Lakhs) was dues on the side of the petitioner after settlement of earlier. Out of Rs. 28,00,000/- total amount of Rs. 18,00,000/- has to be paid to Md. Mahboob Alam and Rs. 10,00,000/- has to be paid to Md. Rizwan Alam. It is further submitted from para-5 that at the time of filing compromise petition, 8 lakhs has been paid to Mahboob Alam and 2 lakhs has been paid to Md. Rizwan Alam vide bank draft No. 501017 and draft No. 501016 respectively. Since 10 lakh Rs. out of 28 lakhs has been paid at the time of compromise, hence only Rs. 18 lakhs rest has to be paid. Further, Rs. 8 lakhs has to be paid to Md. Rizwan Alam within 15 days from the release of the petitioner. It is also stated in para-8 that Rs. 10 lakhs has to be paid to Md. Mahboob Alam within 45 days from the release of the petitioner from jail custody also stated that while measurement of Khata No. 102, Plot No. 202, Area 18 kathas, the petitioner will be present and will sign on the measurement book/paper.

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 Bikram P.S. Case No. 181 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Danapur, Patna.

(Sunil Kumar Panwar, J)

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