

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54166 of 2022

Arising Out of PS. Case No.-266 Year-2022 Thana- ARARIA District- Araria

Shabab Alam @ Mithu Son Of Md. Ashfaque @ Md. Asaphak Alam R/V-
Bansbari, Ward No. 12, P.S And Dist- Araria

... .. Petitioner/s

Versus

1.The State of Bihar
2. Md. Rayyan S/O Late Yasin, R/O Village- Doriya Sonapur Purandaha,
Ward No.08. P.S. Simraha, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-08-2023 Earlier, the petitioner was granted provisional bail

vide order dated. 21.12.2022 and the matter was referred to the

Mediation Centre, Patna High Court for settlement of disputes

between both the parties.

2. In compliance of above order, a report dated
08.08.2023 regarding outcome of mediation has been received.
From perusal of the said report, it appears that the mediation has
failed.

3. Having heard learned counsel for the petitioner,
learned counsel for the informant and learned APP for the State.

4. The petitioner has prayed for grant of regular bail
in connection with Araria P.S. Case No. 266 of 2022 registered
under sections 419, 406, 420 and 120B of the Indian Penal
Code.



5. Allegation against the petitioner is that he committed fraud with the informant by taking Rs. 4,53,764/- from his account.

6. 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 enmity. It is further submitted that this case is civil in nature. It is also submitted that during investigation, this fact came into light that some amount has been deposited by the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 08.07.2022.

7. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

8. Having heard learned counsel for the parties and considering the above facts and circumstances of the case, the provisional bail granted to the petitioner vide order dated 21.12.2022 is hereby confirmed.

(Sunil Kumar Panwar, J)

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