

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58129 of 2022

Arising Out of PS. Case No.-327 Year-2022 Thana- MASHRAK District- Saran

Uday Thakur S/O Sri Bhagwan Thakur Resident of Village- Bangra, P.S.-
Mashrak, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 16-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mashrak
P.S. Case No. 327 of 2022 registered for the offence under
Sections 420, 406 and 34 of the Indian Penal Code (for short
'I.P.C.').

The accused/petitioner is named in the F.I.R. and is in
custody since 05.07.2022.

The allegation against the petitioner is to cheat the
informant by selling biscuit made up of gold against cash of Rs.
3,00,000/- (Rupees Three Lakh).

Learned counsel appearing on behalf of the petitioner



submitted that from the bare perusal of F.I.R. the thrust of allegation, as regard to cheating, is available against co-accused Asha Thakur, who has already been granted bail by learned Co-ordinate Bench of this Court through Cr. Misc. No. 56135 of 2022 vide order dated 16.12.2022. It is submitted that the implication of petitioner is only for the reason that he appears to be relative of main co-accused Asha Thakur as it is appearing from the face of F.I.R. itself. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as thrust of allegation, as regard to cheating, is available against co-accused Asha Thakur, where implication of petitioner is only for the reason that he appears to be relative of the main co-accused coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mashrak P.S. Case No. 327 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned First Class Magistrate, Chapra
(Saran)/concerned court, subject to the conditions as mentioned
under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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