

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57607 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- MAHESHKHUNT District- Khagaria

Sugam Kumar, aged about 30 years, male, Son of Shravan Poddar, Resident of village - Jhitkiya, P.S.- Maheshkhunt, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Maheshkhunt P.S. Case No. 54 of 2022, registered for the offence punishable under Section 420 of the Indian Penal Code (for brevity 'IPC').

There is allegation that the informant has been duped of some amounts which have been paid to certain persons for registry of certain lands. The petitioner is implicated by asserting that recently, he also has committed that he would facilitate transfer of certain lands, but in spite of payment being made, he is not carrying out his promise.

Learned counsel for the petitioner submits that the allegations, as stated in the First Information Report (for brevity 'F.I.R.'), make out a predominantly civil dispute. The allegations are totally false and based on extraneous considerations, since, petitioner was a witness to the earlier sale deed dated 03.07.2022, referred to in the first part of the F.I.R. Under such circumstances, he is in custody since 17.05.2022. He has one criminal antecedent, arising out of Bihar Prohibition and Excise Act.



Learned APP has opposed the prayer for bail

Considering the rival submissions, period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Khagaria, in connection with Maheshkhunt P.S. Case No. 54 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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