

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62284 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- CHANDI District- Nalanda

=====

KAMESHWAR PRASAD S/O LATE MAHAVIR PRASAD Resident of
Village- Juri, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Indu Kumari Srivastava

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 406, 420
and 120(B) of the Indian Penal Code.

The allegation against the petitioner along with other
accused persons is that they conspired and committed cheating
with the informant and took Rs. 34,80,000/- from the informant,
for executing the sale deed

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. As per F.I.R., the informant
stated that the consideration amount is Rs. 8,000,00/- but he
paid Rs. 34,800,00/- which falsify the entire prosecution story.
It is a pure civil dispute. Moreover, the Title Suit No. 72 of 2020



is pending in between parties for the land in question. It is further submitted that the petitioner is an old man, aged out 78 years and he has got no criminal antecedent. The petitioner is languishing in judicial custody since 19.07.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of 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 Chandi P.S. Case No. 38 of 2022 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., Hilsa.

(Sunil Kumar Panwar, J)

nirajkrs/-

U		T	
---	--	---	--

