

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70823 of 2023

Arising Out of PS. Case No.-782 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

Ramsewak Chaudhary Son Of Late Prabhu Chaudhary Resident Of Mohalla -
Kumhrar, Police Station - Agamkuan, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Prasad Sinha

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 406, 419, 420 of the Indian Penal Code and Section 138 of the NI Act but the cognizance has been taken under Section 406 of the IPC only.

3. Petitioner is said to have committed fraud with the complainant and took Rs. 17,00,000/- from him in the name of registry of land, but he neither returned the money nor executed the registry.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the complainant had given money to Mukesh Kumar Singh who died during Covid period. He further submits that the complainant had given only Rs. 6,00,000/- to the petitioner which he is always to pay. He submits that this case is purely civil in nature and no criminal case is made out against the petitioner.



He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that the petitioner is ready to give Rs. 6,00,000/- to the complainant, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 782 C of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Learned Court below is directed to confirm the bail bond of the petitioner after satisfying the fact that the petitioner has returned Rs. 6,00,000/- to the complainant.

8.However, regarding the rest amount of the complainant, it will be decided in the trial.

(Anjani Kumar Sharan, J)

devendra/-

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

