

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70210 of 2022**

Arising Out of PS. Case No.-195 Year-2018 Thana- LAKHNAUR District- Madhubani

Kamlesh Kumar Yadav S/O Rampukar Yadav R/O Koyla Asthan, P.S.- Keoti,
Distt- Darbhanga.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das
For the Opposite Party/s : Mr.Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 28-06-2023 Heard learned counsel for the petitioner 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, 120B of the Indian Penal Code and 138 of the N.I Act.

As per prosecution case, it is allegation that informant and her son contacted this accused and other co-accused through a person namely, Ranjit Kumar for purchasing a piece of land and thereafter informant and her son paid Rs. 9,35,000/- in cash and rest amount through cheque total Rs. 12,35,000/- but the accused persons including this petitioner cheated the informant and land in question was not transferred to her and when informant



demanded her money then accused persons including this petitioner issued cheque but aforesaid cheque bounced due to insufficient amount in the account and despite of legal notice this accused did not return money of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has not signed any agreement relating to sale purchase and transaction. The petitioner is a 70% handicap person and he is a staff of co-accused Md. Faiz and, Md. Faiz opened the bank account in the name of the petitioner for the purpose of cheating and the petitioner has no knowledge about fraud which were doing by co-accused. It is further submitted that the petitioner is languishing in judicial custody since 11.05.2022.

Learned APP appearing for the state has 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 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
Lakhanpur P.S. Case No. 195 of 2018 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.-I,
Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

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