

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70457 of 2022

Arising Out of PS. Case No.-123 Year-2020 Thana- LAHERIYASARAI District- Darbhanga

1. AJAY KUMAR JHA Son of Late Sudhakar Narayan Jha R/V- Mangrauni, P.S- Rajnangar, Dist- Madhubani (Living and working at Delhi in M/S Shahi Export Co. Noida)
2. Prashant Kumar Jha @ Ranjan Kumar Jha Son of Late Sudhakar Narayan Jha R/V- Mangrauni, P.S- Rajnangar, Dist- Madhubani (Teaching in a Private School namely Saraswati Shiksha Niketan, Mangranni)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anwar Karim, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-03-2023 Heard learned counsel appearing on behalf of the
petitioners 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 petitioners seek bail in connection with
Lahariasarai P.S. Case No. 123 of 2020 registered for the
offence under Sections 419, 420, 406/34 of Indian Penal Code.

The accused/petitioners are not named in the F.I.R.
and are in custody since 21.08.2022.

The allegation against the petitioners is to cheat
informant alongwith other co-accused persons/family members
who are none but real brothers.



Learned counsel appearing on behalf of the petitioners submitted that there is no allegation against these petitioners as per the F.I.R. and implication is only for the reason that they are the brothers of main co-accused, namely, Pankaj Kumar Jha. It is further submitted that apparently, it is a dispute related with business transactions, where payment was not realised due to non-matching of signatures of brother of petitioners, where petitioner is not connected in any manner. While concluding the argument, it has been submitted that investigation of this case is 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 no allegation appears against these petitioners, as per the face of F.I.R., where allegation is founded over business transactions and dishonour of instrument as drawn by brother of these petitioners, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Laheriasarai P.S. Case No. 123 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Laheriasarai,



Darbhanga/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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