

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6525 of 2023

Arising Out of PS. Case No.-448 Year-2022 Thana- TAJPUR District- Samastipur

Yugeshwar Ray Son of Late Devendar Ray R/v- Darba, P.S.- Tajpur (Halai O.P.), District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with tajpur (Halai O.P.) P.S. Case No. 448 of 2022 registered for the offence under Sections 420, 406, 341, 323, 354-B, 504 and 506/34 of the Indian Penal Code (for short 'I.P.C.').

The accused/petitioner is named in the F.I.R. and is in custody since 18.09.2022.

The allegation against the petitioner is to cheat informant, who is none but his sister-in-law for Rs. 10,00,000/- (Rupees Ten Lac) in cash to secure a land of her choice.

Learned counsel appearing on behalf of the petitioner submitted the payment of Rs. 10,00,000/- (Rupees Ten Lac) was admittedly, made in cash just to implicate petitioner falsely. It is



submitted that in fact petitioner has taken loan of Rs. 2,50,000/- (Rupees Two Lac Fifty Thousand) from informant and paid her Rs. 2,91,000/- (Rupees Two Lac Ninety-one Thousand) with interest. It is also submitted that as informant and her husband occupied house of this petitioner and as petitioner came to know that they are involved in some illegal activities he moved an application before S.D.M. of the area for vacating his house, the present false implication was made. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, 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 admittedly, informant received Rs. 2,91,000/- (Rupees Two Lac Ninety-one Thousand) out of Rs. 10,00,000/- (Rupees Ten Lac) coupled with the fact that parties appears in inimical term, where petitioner is in custody since 18.09.2022, accordingly, the petitioner, above named, is directed to be released on bail in connection with Tajpur (Halai O.P.) P.S. Case No. 448 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate 1st ,
Samastipur/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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