

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5060 of 2024

Arising Out of PS. Case No.-595 Year-2022 Thana- PAROO District- Muzaffarpur

Rajesh Sah @ Raj Sharma Sah @ Rajeshwar Sah, Son of Krit Sah, R/o village - Dhum Nagar, P.S. - Baruraj (Motipur Wrongly), Distt. - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Harendra Das S/o Late Kanchan Das R/o vill - Koeriya Jadir, P.S - Paroo, Distt. - Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP
For O.P. No.2	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

2. In this case, the petitioner is apprehending his arrest in connection with Paroo P.S. Case No. 595 of 2022, registered for the offences under Sections 406, 420, 120(B), 467 and 468 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons duped Rs. 25,00,000/- from the complainant/informant promising him to make *crorepati* through a magical golden brick.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. True fact of the case is that the petitioner had been working in the agricultural field of the informant and took loan of Rs. 10,000/- from the informant in the year 2020 during Covid-19 period but later on the informant refused to accept the loan amount and demanded Rs. 50,000/- saying that the said amount was an advance for execution of a sale deed of land of the petitioner. However, the petitioner and his family members paid Rs. 21,000/- to the informant in four installments through UPI in the account of the son of the informant from 21.12.2022 to 06.01.2023. Learned counsel further submits that there is no documentary evidence to show any money transaction in favour of the petitioner. During investigation it has also come that there was some land dispute between the parties. The allegations are general and omnibus against all the accused persons and there is no specific allegation against this petitioner. Petitioner is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the opposite party no.2 vehemently oppose the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner without any



substantive material and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, West, Muzaffarpur/court concerned in connection with Paroo P.S. Case No. 595 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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