

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37572 of 2024

Arising Out of PS. Case No.-645 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Shambhu Paswan S/o Late Ramdev Paswan R/o Mohalla - Mai Asthan
Speaker Chowk, P.S. - Kazi Mohammadpur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sikandar Prasad Singh S/o Late Geeta Singh R/o vill - Bihar University Flat
no 2/29 PS University District Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Adv.
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP.
Mr. Chandra Shekhar Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 406, 420, 201, 34 of
the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including
the petitioner are said to have committed fraud with the
informant by taking a large amount of money i.e. Rs. 9,60,000/-
on the pretext of registration of the said land in his favour, but
they neither registered the land in question in favour of the
informant nor returned the money till date.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. As per the prosecution case, there is civil dispute between co-accused Subodh Kumar Ojha and the informant. Petitioner has no role in the alleged occurrence. Neither any agreement for sale was ever made between the petitioner and the informant nor a single penny was paid or given in advance to the petitioner rather the receiving of advance was made by either co-accused Subodh Kumar Ojha or his son Ranveer Kumar. It is further submitted that the similarly situated co-accused have been granted bail by this Court vide order dated 18.01.2024 in Cr. Misc. No. 85926 of 2023 and Cr. Misc. No. 85930 of 2023. Petitioner has no criminal antecedent as mentioned in the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, 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 Muzaffarpur Sadar P.S. Case No. 645 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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