

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44059 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- SHAHKUND District- Bhagalpur

Suresh Pramanik Son Of Ajit Pramanik Resident Of Village - Sitalgram
(ALKULA), Ps- Naladehi, Distt- Birbhum (WEST Bengal)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 18-01-2024 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 406, 420, 504,

506/34 of the Indian Penal Code.

As per allegation in the FIR, on the pretext of

providing custom auctioned Fortuner Car, petitioner

along with other co-accused persons fraudulently got

transferred Rs. 8,29,200/- from the informant with an

assurance to pay the rest amount of Rs. 1,50,800/- at



the time of registration. It is further alleged that when the informant asked to co-accused Rahul on mobile about registration of car, he expressed his unawareness about the matter and threatened him of dire consequences. Specific allegation against the petitioner is that he took Rs. 3,94,000/- from the informant in his account.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that Rahul Kumar is the master mind of the offence, who has committed the cheating with the informant. Petitioner has no concern with the alleged offence and he is a victim of the circumstances. It is further submitted that an amount of Rs. 3,94,000/- has been transferred to the account of petitioner, to which he is ready to return, and the same is mentioned in para-2 of the supplementary affidavit. Moreover, the petitioner is languishing in judicial custody since



05.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Petitioner is directed to pay Rs. 1,00,000/- to the informant at the time of filing bail bond and rest amount he will return in three installments in 3 consecutive months ie. 1,00,000/-, 1,00,000/- and 94,000/-.

Learned counsel for the informant has no objection.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on **provisional** bail in connection with Shahkund (Sajour) P.S. Case No. 29 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VIII, Bhagalpur.



After paying the entire amount to the informant, the Trial Court may confirm the provisional Bail granted to the petitioner.

The aforesaid payment will be subject to final adjudication of the case.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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