

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48236 of 2023

Arising Out of PS. Case No.-824 Year-2022 Thana- TEKARI District- Gaya

Kaushlendra Kumar @ Kaushlendra Kumar Singh Son Of Raj Kishor Singh
Resident Of Village - Rewai, O.P. Man, P.S. - Tekari, District - Gaya

... .. Petitioner

Versus

1. The State Of Bihar
2. Bablu Kumar Son Of Shree Surendra Yadav Resident Of Village - Karhara,
P.S. - Tekari, District - Gaya

... .. Opposite Party

Appearance :

For the Petitioner :Mr.Praveen Kumar, Advocate

For the Opposite Party :Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-04-2024 Heard learned counsel for the petitioner, the State and
informant/ opposite party no.2.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 406, 420, 504, 506/34
of the Indian Penal Code.

3. As per the prosecution case, informant had given
Rs.20,62,500/- to the petitioner by various ways for a piece of
land. The petitioner despite taking the money, did not execute
sale deed in favour of the informant, rather he sold the land to
some other person. Thus, petitioner cheated the informant and
has also not returned the amount and threatened the informant to
kill him.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. Petitioner has already returned entire
money to the informant and he instant false case has been
lodged only with a view to extract money. Moreover, before
lodging of the present case, father of petitioner had lodged



Tekari Police Station Case No. 423 of 2022 to the effect that informant forcibly got signature of father of the petitioner. Besides this, dispute is of civil nature for which remedy under civil law is available. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Gaya in Tekari Police Station Case No. 824 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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