

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56878 of 2024

Arising Out of PS. Case No.-590 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Jagarnath Mahto @ Jagnath Mahto S/o Yogendra Mahto R/o vill - Akabarpur,
Pitoujhiya, Ramnagar, ward no. 15, P.S. - Warisnagar, Distt. - Samastipur
Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pawan Kumar S/o Late Radha Mohan Pouddar R/o vill - Bahadurpur, ward
no. 26, P.s. - Nagar, Distt. - Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Adv.
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 590 of 2022 registered under Sections
120B, 419, 420, 406, 323, 467, 468, 472, 427 and 504 of the
Indian Penal Code.

3. It is alleged that this petitioner along with co-accused
Tetri Devi, took Rs. 3,72,000/- from the complainant in the
name of Kewala but, later on, they neither returned the money
nor executed the sale deed in favour of the complainant.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and he has been made



accused in this case merely because he is witness to the alleged agreement. As per agreement, the money in question had been paid to co-accused Tetri Devi who has already been granted bail by this Court *vide* order dated 27.02.2024 passed in Cr. Misc. No. 68183 of 2024. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and similarly situated co-accused has already been granted bail, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Samastipur in connection with Complaint Case No. 590 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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