

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57887 of 2024

Arising Out of PS. Case No.-434 Year-2023 Thana- ARWAL District- Jehanabad

Chhotan Ram son of Late Vilas Ram Resident of village and post -Muradpur
Hujara Baidrabad, Ps Arwal, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Srivastava, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. As per the prosecution case, the petitioner took Rs. 4 lacs from the daughter of the informant for sale of his 3 decimals of land. Later on, he returned Rs. 2,65,000/- to the informant's daughter and assured her to return the rest amount on 21.08.2023 for which a paper was also prepared in the police station, but the petitioner did not return the rest amount as per agreement despite several dates.

4. It is submitted by learned counsel for the petitioner that the 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. Petitioner has requested the informant and his daughter to take rest amount in two or three installments even just one day before instituting the frivolous FIR, but they refused. It is further submitted that there is no denial to return the balance amount by the petitioner. He is ready to return the rest amount i.e. Rs. 1,35,000/- in two installments. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail** for a period of six months, 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 Arwal P.S. Case No. 434 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. The rest amount of Rs.1,35,000/- (Rupees One Lac



Thirty Five Thousand) shall be paid by the petitioner to the informant's daughter within six months in two installments. After full and final payment of Rs. 4,00,000/- (Rupees Four Lakhs), the provisional bail of the petitioner will be confirmed by the learned Court below.

(Anjani Kumar Sharan, J)

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