

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60729 of 2024

Arising Out of PS. Case No.-129 Year-2023 Thana- PURNEA SADAR District- Purnia

Kumod Kumar Paswan Son of Bhola Paswan Resident Of Village- Barsoni,
Before KIA Car Show Room, PS- Purnea Sadar, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. At the outset, learned counsel for the petitioner is permitted to make necessary correction/s in paragraph No.4 of the bail application.

3. The petitioner seeks bail in connection with Purnea Sadar P.S. Case No. 129 of 2023 instituted for the offences under Sections 406, 420, 418, 419 & 120(B) of the Indian Penal Code.

4. The prosecution case, in short, is that, two agreements were executed, one between Informant and Parwati Devi and Ravi Mandal in respect of land bearing Khata No.99, Plot No. 450, Area 12 decimal on 30.06.2022 and another



between the Informant and Binod Agarwal and Suman Agarwal were executed through the petitioner being the Mediator. It is alleged that the petitioner took of Rs. 20,00,000/-, but the registry of the land could not be done on one pretext or the other. It is further alleged that the Informant paid Rs. 1,20,000/- again in the account of petitioner for execution of the sale deed and thereafter tried to contact with them on mobile phone but, the Informant could not contact with them.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. It is submitted that entire amount is received by land owner and petitioner has no role to play for grabbing the amount as he is only middle man of the agreement. It is submitted that no transaction is made to the account of the petitioner. The petitioner has one criminal antecedent and is languishing in judicial custody since 26.12.2023 without any rhymes or reason. Other co-accused has been granted bail by this Court *vide* order dated 22-10-2024, passed in Cr. Misc. No. 74974 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



It is submitted that witnesses have supported the prosecution case though there is no mention of transaction statement in the case diary.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Purnea Sadar P.S. Case No. 129 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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