

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68695 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- BAIRIYA District- West Champaran

Yogesh Jha @ Monu @ Monu Jha @ Yogesh Kumar Jha Son of Kishun Jha
@ Krishna Mohan Jha R/O Vill.- Sheikh Dhurwa, P.S.- Manuapul, District-
West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Musarrat Praveen Wife of Meraj Khan R/O Vill.- Harpur, P.S.- Gaunaha,
District- West Champaran. Present Address- South of Sant Ghat Bridge,
Bhatwali Road, P.S.- Bairiya, Dist.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-12-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 406, 420, 120B, 376, 307, 413,
323, 341 and 504 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the
instant FIR arises out of a complaint case being Complaint Case
No. 2633C of 2023.
4. Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the FIR, it would manifest
that the same does not inspire confidence rather is cryptic and
vague as the informant alleges that she was preparing to go to the



court when she saw the petitioner on a motorcycle and he offered her a lift. Since the informant had seen the petitioner many a times in the court premises as such she accompanied him. Thereafter, she alleges that the petitioner came to her house subsequently and asked for tea on which the informant got ready and thereafter petitioner disclosed about his sources that how influential he is and said that he will get the case decided in favour of the informant provided she gives Rs.4 lakhs on which it is alleged that the informant after selling her jewellery and managing the amount gave Rs.4 lakhs to the petitioner. Further, the petitioner started approaching the informant and thereafter they came into intimate relationship and even established physical relation on account of which she became pregnant when petitioner asked her to abort the pregnancy and when she was not ready he burnt her right hand as such the informant out of fear consumed the medicine leading to abortion. Further, when the informant demanded her money back she was abused and assaulted.

5. Learned counsel for the petitioner submits that the FIR is completely vague and cryptic as it does not even remotely disclose that for which case the petitioner had taken Rs.4 lakhs from the informant. It is further submitted that petitioner and the informant were known to each other from before and they were in a relationship and when the mother-in-law of the informant came



to know about the relationship as such the instant false case came to be instituted. It is next submitted that petitioner has antecedent of one case and is in custody since 04.06.2024 and charge-sheet has been submitted as such no useful purpose would be served by keeping the petitioner in jail.

6. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposed the prayer for regular bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the allegation as alleged in the FIR is vague and cryptic.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bairiya P.S. Case No. 319 of 2023.

(Satyavrat Verma, J)

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