

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62743 of 2024

Arising Out of PS. Case No.-575 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Munna Kumar S/o Late Shukhdev Prasad Yadav R/o Ranipur Kali Asthan PS
- Mehndiganj Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalji Paswan Son of Late Baijnath Paswan R/o- Hasanpur Par Nandi PO-
Beur PS- Beur Dist-Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

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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 complainant/opposite party no. 2.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 406, 420, 323, 467, 468,
504, 506 and 120B of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
complainant and a purely civil dispute has been given a criminal
colour. It is further submitted that even presuming what has
been alleged is true without admitting then from perusal of the
allegation as alleged in the complaint, it would manifest that the
complainant alleges that a sum of Rs.1.35 lakh was given to the



petitioner when rest of the amount was given to other accused persons by cheque in their account. It is next submitted that complainant alleges that he has been duped of his hard earned money of Rs.38 lakhs by the accused persons in connivance. It is also submitted that the land, which the complainant intended to purchase, does not belong to the petitioner rather the land belongs to his brother-in-law and mother of his brother-in-law and the petitioner in no way was concerned with the land in question, but being a relative, he had taken the said amount for paying to his brother-in-law.

4. Learned counsel thus submits that the land was in name of brother-in-law and the mother of the brother-in-law of the petitioner and the petitioner in no way was connected with land in question but since the land belongs to his brother-in-law as such he has also been implicated. It is further submitted that complainant can file a money suit for recovering the money before a court of competent civil jurisdiction if the complainant is able to prove his case. It is next submitted that petitioner is in custody since 06.07.2024 and is a person with clean antecedent.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the complainant opposed the prayer for regular bail of the petitioner.



6. 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 bonds 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 Complaint Case No. 575(C) of 2023.

7. At this stage, learned counsel appearing on behalf of the complainant submits that if the money is returned to the complainant in that event he will withdraw the case against the petitioner on which learned counsel appearing on behalf of the petitioner submits that the present criminal case has been instituted only with a view to coerce the petitioner into submission so that fanciful demand of the complainant is met. It is further submitted that if the complainant is interested in recovering his dues he should move before a court of competent civil jurisdiction instead of pursuing a criminal case.

(Satyavrat Verma, J)

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