

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66030 of 2024

Arising Out of PS. Case No.-2079 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Tarkeshwar Prasad S/O Late Achhelal Chaudhary R/O Village- Khodanagar,
Dharm Samaj Road, P.S- Chhatauni, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hiralal Prasad Yadav S/O Late Khomari Rai R/O Village- Parewa, Post
Office- Kapurpakri, P.S- Shikarganj, Distt.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Anil Kumar, Adv.
For the Opposite Party/s :	Mr. Dilip Kumar No.1, APP.
	Mr. Dhananjay Kumar Gupta, Adv.
	Mr. Deepak Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the complainant.

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

3. As per FIR, the petitioner is said to have taken Rs.
15,00,000/- in advance from the complainant with an assurance
to execute the land in question in his favour, but later on, neither
he executed the land in favour of the complainant nor returned
the aforesaid amount to him.

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 not taken a single penny from the complainant. He has never executed any agreement with the complainant. The real fact is that the complainant is habitual to extort money from innocent people. Earlier he had also lodged a similar case i.e. Complaint Case No. 1337 of 2023 against one Raj Shashi Kala. One of the inquiry witness in the present case, namely, Prabhu Prasad is also an inquiry witness in the aforesaid case. Petitioner has four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as from bare perusal of the FIR, it appears that there is civil dispute between the parties, let the above named petitioner, be released on bail, 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 Complaint Case No. 2079 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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