

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66343 of 2024

Arising Out of PS. Case No.-196 Year-2022 Thana- GOPALPUR District- Patna

Umesh Rai S/O Rit Lal Rai R/O Village- Bairiya, P.S- Gopalpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar, Adv

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P.S. Case No. 196 of 2022 dated 13.04.2022 registered for the offences punishable u/s 406, 420, 120B of the Indian Penal Code.

3. As per the prosecution case, the informant said that the petitioner and the co-accused *Umesh Kumar* persuaded the informant and his relatives to purchase a land by showing them a bai-beyana sale deed of one *Duryodhan Mahto* and other executed in their favour saying that they would be provided land in cheap rate. Thereafter, the informant agreed to purchase 900 sq. feet land for which he paid a sum of Rs. 18 lacs out of Rs. 22 lacs fixed as consideration amount. The petitioner and Umesh



Kumar in collusion with the said owners of the land received a total sum of Rs. 63,96,000/- from all the purchasers. But later on the informant and others came to know that the owner has transferred the said land in favour of the brother of Tejan Rai, Ranjit Kumar and cheated Rs. 63,96,000 from the informant and others.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Similarly situated co-accused has already been granted anticipatory bail by this court *vide* order dated 07.11.2023 passed in Cr. Misc. No. 45722 of 2023. The petitioner has three antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 25.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the allegation against the petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Gopalpur P.S. Case No. 196 of 2022, with a condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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