

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84636 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- RANIYATALAB District- Patna

Mintu Lal Son of Late Laxmi Narayan Sao @ Laxmi Narayan Sahu R/o vill -
Raghunathpur Mathiya, P.S. - Rani Talab, Distt. - Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilam Devi W/o Ram Brikch Yadav R/o vill - Raghunathpur Mathia, P.S. -
Rani Talab, Distt. - Patna, P.S. - Bihta, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Mishra, Adv.
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2024 Heard Mr. Sunil Kumar Mishra, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Rani Talab P.S. Case No. 199 of 2022 registered for the
offences punishable under Sections 406 and 420 of the Indian
Penal Code.

3. The prosecution case is based on a written report of
the informant, alleging therein that the petitioner had taken Rs.
3,85,400/- for his personal work with an assurance that the same
would be returned soon. It is further alleged that despite demand
being made, the same has not been returned and the petitioner
and his brother threatened the informant with dire consequences.

4. Learned counsel for the petitioner, submits that



during the course of investigation, it has come that the petitioner had taken loan of Rs. 30,000/- for some medical issue(s). However, the same has already been returned but by making certain interpolation and exorbitant rate of interest, an amount of Rs.3,85,400/- has been shown to be due. He further submits that the aforesaid fact has also been corroborated by the statements of the villagers, which were recorded by the police under Section 161 CrPC. He next submits that taking note of the aforesaid fact, the petitioner was given the benefit of Section 41(1) CrPC during the course of investigation. However, once the police submitted charge-sheet, the necessity to file the present application. He lastly submits that the petitioner is a poor labour having fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the statements of the witnesses, which have been recorded during the course of investigation, coupled with the fair antecedent of the petitioner, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C-I, Civil Court, Danapur, Patna in connection with Rani Talab P.S. Case No. 199 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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