

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.232 of 2024

Arising Out of PS. Case No.-202 Year-2021 Thana- MAJHAULIA District- West Champaran

Deepak Srivastav @ Deepak Kumar Srivastav S/O Brijesh Kishore Srivastav
@ Chunu Srivastav Village- Majhariya Shekh, Ps. Majhauilya, Dist. West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 406, 420, 467 and 34 of
the Indian Penal Code.

3. As per FIR, on the false pretext of providing job to
the informant's wife Rinki Deiv, the accused persons including the
petitioner had cheated Rs. 3 lakhs from the informant.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. Neither any
proof of transaction has been given by the informant nor any
single chit of paper showing involvement of the petitionr. It is
further submitted in para 18 and 19 of the petition that after



investigation and supervision, police has submitted charge sheet against only one co-accused namely, Brijesh Kishore Srivastava and showing the petitioner and Sangeeta Devi not sent up for trial. The co-accused namely, Sangeet Devi has already been granted anticipatory bail by another co-ordinate Bench of this Court vide order dated 01.12.2023 passed in Cr. Misc. No. 75260 of 2023. Petitioner is languishing in judicial custody since 13.09.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the ifnoremant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran, Bettiah in connection with Majhaulia P.S. Case No.202 of 2021.

(Sunil Kumar Panwar, J)

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