

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2707 of 2024

Arising Out of PS. Case No.-400 Year-2022 Thana- DEHRI TOWN District- Rohtas

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VINOD RAM SON OF LATE RAM NATH PASWAN R/O VILLAGE-
MAHUARI, P.S.- AAKHORIGOLA, DISTICT- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikalp, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner

and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 406, 420, 467, 468 , 328 ,and 302 of the Indian Penal Code.

3. As per the prosecution case, all the accused persons, including the petitioner, have induced the husband of the complainant to purchase the land of one Raghpati Pandey. It is further alleged that for the purchase of said land, the husband of the complainant paid Rs. 29,00,000/- [twenty-nine lacs] on March 9, 2016 to the accused persons Durga Prasad, Vinod Ram,



and Dadan Paswan. In the meantime, co-accused Birendra Pandey has also told the husband of the complainant that the said Raghupati Pandey will also sell two bighas of land, and co-accused Birendra Pandey has taken Rs. 17,00,000 (seventy lacs) from the husband of the complainant, but they have not executed any sale deed regarding the land. The accused, Birendra Pandey, 2707 has returned Rs. 85,000 to the complainant. It is further stated in the complaint petition that when the husband of the complainant repeatedly demanded the rest of the money, the accused persons gave poison to the husband of the complainant, as a result of which the husband of the complainant died.

4. It is submitted that the petitioner has been falsely implicated in this case. As a matter of fact, the husband of the informant died on October 16, 2019, but the complaint was lodged on May 20, 2022, and on that basis, F.I.R. was lodged on June 7, 2022, i.e., after a delay of two years and seven months for which there is no plausible explanation, which itself creates a doubt



over the veracity of the entire prosecution. There is also no chit of paper in support of the prosecution case . It is purely a case of civil dispute. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Dehri, Rohtas in connection with Dehri (Indarpuri) P.S. case No. 400 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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