

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86010 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- RAJPUR District- Buxar

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Akhilesh Kumar Tyagi Daroga Ram VILLAGE sisradh P.S RAJPUR District
Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Ravi Shankar Pathak
For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail registered under section 420, 406, 120B of
the Indian Penal Code.

As per FIR, the informant alleged that he gave 20 lac
cash to the petitioner to purchase the land of one Algu Paswan
for this purpose 8 lac was paid to Algu Paswan and an
agreement to sell was also executed between the informant and
Algu Paswan. The sale deed could not be executed and the
petitioner returned Rs. 7,80,000/- rather Rs. 12,20,000/-
remained outstanding towards the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It appears that an agreement held between the co-accused Algu Paswana and the informant and the petitioner played merely a mediator role due to which he has falsely been implicated in this present case. From perusal of the FIR and agreement, it is clear that informant has given only Rs. 7,90,000/- by bank to the petitioner and Rs. 3,50,000/- to Algu Paswan. From the agreement, it is clear that petitioner has returned Rs. 8 lakh to the informant and he is also ready to return actual outstanding amount of the informant. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.09.2023.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rajpur P.S. Case No. 163 of 2023 on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of the learned S.D.J.M., Buxar.

(Sunil Kumar Panwar, J)

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