

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.426 of 2024

Arising Out of PS. Case No.-121 Year-2022 Thana- GADHPURA District- Begusarai

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Gango Yadav @ Ganga Prasad Yadav S/O Late Lakhan Yadav R/O Villa- Bari
Kewal, P.S- Gadhpura, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kumar Binode Bariar
For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 406, 420, 506 and 34 of the Indian Penal Code and further added sections 409, 467, 468 and 471 of the IPC.

3. Allegation against co-accused persons along with this petitioner is that they committed fraud with the informant on the pretext of giving benefits in business and cheated Rs. of 1,32,52,550/-(one crore thirty two lakh fifty two thousand five hundred and fifty) from the informant along with his wife.



4. 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 is further submitted from para-7 of this petition that from the entire FIR, no any amount has been transferred in the account of this petitioner. Only because, the petitioner happens to be father-in-law of the accused Ajay Kumar Yadav, he has been dragged in this case. The wife of the informant has filed a Complaint Case No. 228 of 2023 regarding exactly the same transaction in which she has made only Ajay Kumar @ Ajay Yadav as accused. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide order dated 24.11.2023 in Cr. Misc. No. 73556 of 2023. Moreover, the petitioner is languishing in judicial custody since 23.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to



be released on bail **after framing of charge if the charge is not framed** in connection with Gadhpura P.S. Case No. 121 of 2022 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. 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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