

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19464 of 2025**

Arising Out of PS. Case No.-489 Year-2022 Thana- SHASTRINAGAR District- Patna

Vijay Rai Son of Late Kuleep Rai @ Late Kuldeep Rai R/vill- Mahuari Garen
Sarai, P.S - Maner, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rahul Kumar, Adv
For the Opposite Party/s	:	Mr.Tarun Prasad Mandal, APP
For the Informant	:	Mr. Chandra Mohan Jha, Adv

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Shashtri Nagar P.S Case No. 489/2022 dated 08.08.2022 for the offence punishable u/s 406, 420, 504, 506 and 120B of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons contacted the informant to sell his maternal land measuring 3 bigha, 8 kattha, Mauja Alampur Gonpura, Pargana Phulwarisharif district-Patna. The petitioner used to visit the informant house earlier. On 5 February 2021, trusting the words of Vijay Rai, his wife Hemlata Devi and Kanchanlata, the informant got the sale document prepared at the rate of Rs 4 lakh (four lakh rupees) per kattha. The sale document was



signed by Vijay Rai, Hemlata Devi and Vijay Rai's sister-in-law Kanchanlata. On the pretext of registering the land, they took a total amount of Rs 29,00,000 at different times, in which Rs 21,00,000 was taken in the first installment. The remaining Rs 8,00,000 was taken by the petitioner and the co-accused persons. After taking the money, when the informant requested them to register, all three refused. On the request of the informant, they came on 23 February 2022 and asked him to prepare a document for registering 10.55 decimal land. Thereafter, the informant trusted all three and got the document prepared but they fled from registry office. Sensing the intention of dishonesty, fraud and embezzlement of money in the minds of petitioner and the co-accused persons, the informant started demanding the money if the land was not registered. On 11 July, the petitioner and the co-accused persons came to the house of the informant and threatened him to kill.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is a case of civil nature. Learned counsel has submitted that the informant has not shown any transaction details that he has paid money to the petitioner and the co-accused persons. The petitioner has three antecedents as



stated in para 3 of the bail petition. The petitioner is in custody since 25.12.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that there is direct allegation levelled against the petitioner to take the money from the informant for selling the land and after taking the money he refused to registered the said land in favour of the informant.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Shashtri Nagar P.S Case No. 489/2022, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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