

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31428 of 2025

Arising Out of PS. Case No.-225 Year-2021 Thana- KATEYA District- Gopalganj

Rajan Pandey S/o Late Dhamalu Pandey R/o Village- Lohati, P.S.- Kateya,
Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Adv
	:	Mr. Amit Kumar Mishra, Adv
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Anand Vardhan, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Kateya
P.S. Case No. 225 of 2021 registered for the offences under
Sections 406, 420 and 506 of the Indian Penal Code and Section
27 fo the Arms Act.

3. The petitioner is named in the F.I.R. and is in custody
since 31.01.2025.

4. The allegation against the petitioner is to cheat
informant, where as per FIR on first instance return of Rs.
30,000/- was given to informant on investment of Rs. 20,000/-,
on second instance return of Rs. 45,000/- was given to informant
on investment of Rs. 30,000/- and finally Rs. 15 lakhs was



invested with petitioner and his company, where no return was given to the informant.

5. Learned counsel appearing on behalf of the petitioner submitted that both parties are agnates and known to each other and due to certain money disputes present false implication was raised. It is submitted that no such company is existing as stated in FIR and it so, it must be impleaded as party, but on perusal of column 7 of the FIR itself, it appears that company was not made accused. It is also submitted by learned counsel that even from the perusal of FIR it transpires that payment was made to the company and not to this petitioner. Arguing further in this context, learned counsel took reference of paragraph no. 134 of the case diary, where it appears that company was running in the house of informant itself and no supportive documents were collected, which may suggest prima-facie that allegation of informant as raised against petitioner and this company may get its strength. While concluding the argument it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer



for bail submitted that payment of Rs. 5 lakh was made to the account of the petitioner, but he could not explain in what capacity this payment was transferred to the account of this petitioner despite allegation that entire amount of Rs. 15 lakh was deposited with company as per FIR.

7. In view of aforesaid factual submission and by taking note of fact as the amount in issue prima-facie deposited with company and not with this petitioner, coupled with the fact as petitioner is a man of clean antecedent and remains in custody since 31.01.2025, accordingly above named petitioner, is directed to be released on bail in connection with Kateya P.S. Case No. 225 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Gopalganj/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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