

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47508 of 2024

Arising Out of PS. Case No.-639 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Lalan Prasad Sriwastava @ Lalan Prasad Son Of Santokhi Baitha R/O Vill-
Ramgaraha, P.S-Daraundha, Dist- Siwan, P/A- Rajshri Marriage Hall,
Mohalla- Malmaliya Chowk Muhammadpur Road, P.S- Bhagwanpur, Dist-
Siwan Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party : Mr.Satyendra Narayan Singh, A.P.P.
Mrs. Vaishnavi Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 17-01-2025 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 406, 420 and 120B of the Indian Penal Code.

3. It is alleged that after taking consideration money of Rs. 45 lacs from the informant, accused persons including this petitioner refused to execute sale deed. It is further alleged that the informant requested several times to execute the sale deed but they refused to execute the sale deed and thus they committed fraud and cheated the informant and also grabbed Rs. 45 lacs of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. As a matter of fact, there was business relationship between informant and petitioner and



informant returned loan amount to the petitioner which he had earlier taken from him in connection with business transaction. Marriage hall was constructed out of loan passed by the Bajaj Finance Limited. This can be verified from the statement of account provided by Bajaj Finance Limited who sanctioned the loan amount to the petitioner. Further submission is that petitioner is ready to pay Rs. 10,00,000/- without admitting the allegation.

5. Considering the aforesaid contention made on behalf of the petitioner, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 639 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioner that the petitioner shall deposit Rs. 10,00,000/- (ten lacs) in six equal instalments in six months in the Nazarat of the concerned civil court. A receipt of deposit of first instalment will be produced by the petitioner at the time of furnishing bail-bond in the Court below and rest instalments



shall be paid in rest five equal installments within a period of further five months, failing which, the learned Court below would be at liberty to cancel the bail-bond.

6. It is made clear that this order has been passed only for the purpose of bail, without going into the merit of the case and payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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