

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38516 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- DEV District- Aurangabad

Binod Rajak Son of Late Kameshwar Rajak R/o Village _ Dosama, PS - Deo,
District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shatrudhan kumar Paswan S/o- Sukhdeo Paswan Resident of Village-
Balwant Bigha, PS- Rafiganj Dist- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP
For the Informant	:	Mrs. Mukul Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 14-11-2025 Heard Mr. Anirudh Kumar Verma, learned counsel

for the petitioner, Mrs. Renu Kumari, learned APP for the State,

Mrs. Mukul Kumari, learned counsel for the informant and

perused the case diary.

2. The petitioner seeks bail in connection with Deo
P.S. Case No. 62 of 2025, instituted for the offences punishable
under Sections 115(2), 352, 316(2), 318(4) and 319(2) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the informant
alleges that petitioner along with co-accused Raja Ram Yadav
induced him to apply for a government loan of Rs. 10,00,000/-
promising a subsidy of Rs. 5,00,000/- and took Rs. 1,00,000/- in
advance for the same. However, when the loan was not
sanctioned, both accused refused to return the money.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is allegation of taking Rs. 1,00,000/- by both the accused persons but it has not been specifically mentioned that to whom the whole amount has been paid by the informant. It is next submitted that the petitioner has got no concern with the co-accused namely Raja Ram Yadav. Learned counsel for the petitioner submits that petitioner is, however, ready to pay a sum of Rs. 83,000/-, in installments subject to final outcome of the trial. The petitioner is in custody since 11.03.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 06.08.2025 passed in Cr. Misc. No. 28896 of 2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. However, after arguing at length, learned counsel for the informant does not raise objection as the petitioner is ready to return the amount of Rs. 83,000/- in installments subject to the final outcome of the trial.



6. Considering the aforesaid facts and circumstances of the case and since the petitioner is ready to return Rs. 83,000/- to the informant in installments as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Deo P.S. Case No. 62 of 2025, subject to the following conditions:

(I) The petitioner shall pay Rs. 33,000/- to the informant at the time of furnishing bail bonds and rest of the amount i.e. Rs. 50,000/- is to be paid in two equal installments of Rs. 25,000/- within three months after his release on bail.

(II) One of the bailors shall be own/close member of the family of the petitioner.

(III) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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