

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50877 of 2024

Arising Out of PS. Case No.-1341 Year-2023 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Naresh Kumar Son of Rajdeo Ram Resident of Village- Kailitand Ps-
Bhagwanpur Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharmendra Kumar @ Dharmendra Ram Son of Sri Sukan Ram R/O Vill.-
Bahilbara, Pandey Tola, P.S.- Saraiya, Dist.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 13-02-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has

been filed by the petitioner apprehending his arrest in a case

instituted for the offence punishable under Section 406 of the

Indian Penal Code.

3. Prosecution case in nutshell is that petitioner

along with co-accused Manjit Kumar negotiated with the

complainant regarding sale of a piece of land and for this he

(complainant) paid Rs. 5,00,000/- (five lakh rupees) to co-

accused Manjit Kumar and Rs. 1,00,000/- (one lakh rupees)



was paid to the petitioner at the instance of co-accused Manjit Kumar and in light of the same, for shake of security of the amount, co-accused Manjit Kumar has given him a cheque of Rs 6,00,000/- (six lakh rupees) and promised that he would get the land registered on the said day. It is further alleged that neither the land got registered in the favour of complainant nor the money was returned to him.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted that the whole alleged dealing of transaction of land was in between the complainant and co-accused Manjit Kumar. It is also apparent from the statement of the complainant itself that the alleged amount of Rs. 1,00,000/- (one lakh rupees) was transferred to the mobile UPI of the petitioner on the instance of the co-accused Manjit Kumar and the same was transferred by the petitioner to the account of co-accused Manjit Kumar, on the instruction of the complainant. Petitioner has no role in the alleged offence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



5. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 1341 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned additional Chief Judicial Magistrate IV (west), Muzaffarpur, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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