

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78458 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- BELA INDUSTRIAL District-
Muzaffarpur

Sachendar Sharma @ Dada, aged about 78 years, Male, Son of Late Kunj Bihari Rai, Resident of Mohalla-Sharma House, Kila Bandh Chowk, Mehendi Hassan Road, P.S. - Brahampura, District – Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Saurav Kumar, aged about not stated, Male, Son of Ajit Kumar, Resident of Village- Bar Chawk , P.S- Bela , District Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Alok Kumar, Sr. Advocate and Mr. Nachiketa Jha, Advocate
For the O.P. No. 2 : Mrs. Akrity Aishwarya, Advocate
For the State : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 05-02-2025 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bela P.S. Case No. 69 of 2024 dated 09.09.2024 registered for the offences punishable under Sections 420, 467, 468, 471, 120B read with Section 34 of the I.P.C.

3. As per the prosecution case, the informant and his friend Mohan Kumar met with Shyam Babu Singh who took them to Sonu Muskan who told that Sachendra Sharma @ Dada



used to provide job in different departments after taking money. It is further alleged that the informant gave Rs. 50,000/- to Sonu Muskan by Mohan Kumar but he demanded Rs. 1,00,000/- instead of Rs. 50,000/-. It is further alleged that on 02.07.2023, Mohan gave Rs. 1,00,000/- to the petitioner through Sonu Muskan and form was filled-up by the informant. Thereafter, the petitioner demanded Rs. 7,00,000/- from the informant for providing job for the post of T.C. in Group-C. It is further alleged that joint letter has come to the informant and Mohan within 20-25 days after filling up the form. The father of Mohan Kumar demanded Rs. 6,00,000/- from the informant before going for training so that the money could be paid to the petitioner and accordingly, the informant paid Rs. 6,00,000/- to the father of Mohan Kumar but due to accident, the informant could not attend the training. The informant paid Rs. 1,00,000/- to Kabir for his medical near Biscouman Bhawan, Gandhi Maidan, Patna, and thereafter the informant and his friend went to Sasaram where their training has been done and ended on 14.01.2024 and after completing training they went their home. It is further submitted that Kabir called them at Danapur Railway Mandal where after filling-up form took Rs. 10,000/- from each and assured that they got joining letter within 3-4



months. When on 07.09.2024 they went Wazirganj with joining letter and showed the same to the Station Master the Station Master said that the joining letter and other documents are fake. Hence, the petitioner took Rs. 7,00,000/- from the friend of the informant and Rs. 8,00,000/- from the informant on the pretext of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case at the instance of his villagers with whom the petitioner has inimical term only to extort money. It is further submitted that from perusal of the F.I.R., it is apparent that only Rs. 1,00,000/- has been handed over by Mohan and Rs. 1,00,000/- has been handed over by the informant to the petitioner and Rs. 6,00,000/- has been given by the informant to the father of his friend and Rs. 1,00,000/- has been given to one Kabir. No document has been given by the petitioner to the informant to sign thereon. The petitioner was arrested on 09.09.2024 and his signature was obtained on a plain paper which has been used as seizure list. There is no statutory compliance of Section 100 of the Cr.P.C. The petitioner is aged about 78 years and he is suffering from various disease. No9 article has been recovered from his possession. The petitioner



has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.09.2024.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 have vehemently opposed the bail petition of the petitioner.

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 J.M. Ist Class (East), Muzaffarpur in connection with Bela P.S. Case No. 69 of 2024 with further 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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