

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86824 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- NEMDARGANJ District- Nawada

1. Gautam Kumar Son of Rajendra Prasad Resident of Village - Pachgawan, P.S. - Nemdarganj, District - Nawada
2. Purushottam Kumar @ Raju Son of Rajendra Prasad Resident of Village - Pachgawan, P.S. - Nemdarganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-01-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioners seeks bail in connection with

Nemdarganj P.S. Case No. 14 of 2024 registered for the

offences under Sections 406, 420, 120(B), 379 and 34 of the

IPC.

3. Both petitioners are named in the F.I.R. and are

in custody since 04.08.2024 and 16.08.2024.

4. The allegation against the petitioners is to cheat

informant on pretext of introducing him to one Amar Jyoti,

who claimed to be the relative of petitioner for agreement of



the truck of the informant bearing registration no. JH 02 AV 3934 against monthly hire charge of Rs. 1 Lakh. It is further alleged that while agreement of said effect was under process, the truck of informant parked near the office of co-accused Amar Jyoti was found missing.

5. Learned counsel appearing on behalf of the petitioners submitted that both petitioners have been implicated falsely with the present case only being relative of main co-accused namely Amar Jyoti. It is pointed out that maximum allegation as available against these petitioners is found sitting in the office of co-accused Amar Jyoti, when informant was introduced to him by one Rahul Kumar, who has already granted bail by this court through Cr. Misc. No. 63944 of 2024 vide order dated 11.09.2024. It is further submitted that alleged missing truck was recovered from Gaya, where petitioners and other co-accused persons not appears connected. It is submitted that main co-accused Amar Jyoti has sent a complaint to the SP, Nawada on 16.03.2023 alleging corruption against Officer-in-charge of Nemdarganj Police Station, being aggrieved with said



complaint, the Officer-in-charge of Nemdarganj Police Station implicated him in more than ten criminal cases and also this petitioner, for only reason as they are relative of the main co-accused Amar Jyoti. It is a classical case of police atrocities. While concluding the argument it is submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of nature of accusations, where face of FIR suggests maximum allegation qua both petitioners, as to found sitting in the office of main co-accused Amar Jyoti, when informant was introduced to him by one Rahul Kumar, coupled with the fact that charge-sheet has already submitted, accordingly, both, above named petitioners, are directed to be released on bail in connection with Nemdarganj P.S. Case No. 14 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate 1st Class, Nawada/concerned court, subject
to the conditions as mentioned under Section 437(3) of the
Cr.P.C./ 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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