

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2417 of 2025

Arising Out of PS. Case No.-5289 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Mahesh Narayan Jha @ Mahesh Kr Jha @ Mahesh Jha Son of Hari Narayan Jha @ Narayan Ji Jha Resident of Village and Post- Ganouli, P.s.- Andhra Thari, Dist.- Madhubani

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Vinay Narayan Jha Son of Late Subh Narayan Jha Resident of Village and Post- Ganouli, P.s.- Andhra Thari, Dist.- Madhubani, at present residing at Mohall- Shivpuri, P.S.- ShastriNagar, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2025 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under section 406 of the Indian Penal Code .

3 . As per complaint case , complainant gave Rs. 1,25,000/- to petitioner to give the same to co-accused Tarakant Jha with whom the complainant has agreement to sell a piece of land. But neither the land was sold by co-accused Tarakant Jha nor money was refunded to the complainant.

4. It is submitted on behalf of the petitioner that petitioner is brother-in-law of the complainant. It is further



submitted that the only allegation against the petitioner is that Rs. Rs.1,25,000/- was given to Tarakant Jha through the petitioner. The entire money was transferred in the account of co-accused Tarakant Jha, and the petitioner has not received a single penny. Furthermore, it is not the case of the complainant that the petitioner has misappropriated the money or refused to hand over the money to Tarakant Jha. There was no agreement with the petitioner.

5 . Learned counsel for the State opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned J M Ist Class Patna in connection with Complaint Case No. 5289(C)/2018, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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