

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8234 of 2015

Arising Out of PS.Case No. -1088 Year- 2009 Thana -MUNGER COMPLAINT CASE District-
MUNGER

=====

Ajay Kumar Gupta, S/o Late Sita Ram Gupta (Tanti) Resident of Mohalla
Khoja Bazar, Police Station Kasim Bazar, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate.

For the Opposite Party/s : Mr. Satyendra Prasad (App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 04-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 19.08.2014
in a case registered for the offences punishable under Section 419,
467 and 468 of the Indian Penal Code.

It is alleged that the complainant constructed five
rooms, which was sold by the petitioner to Binod Kumar Agrawal
through registered sale deed on which Rohit Sahil was a witness.
The name of the complainant was also inserted in the vendor's
column. The sale proceed amounting to Rs. 3,50,000/- was
deposited in the post-office under Monthly Investment Scheme
(M.I.S.) in the joint account of the petitioner and the complainant
though the photograph of some other person was found to be
pasted and the petitioner has been getting monthly interest on the

said deposit.

It is submitted by the learned counsel for the petitioner that initially the F.I.R was lodged but during investigation accusation was not found to be true and final form was submitted. Subsequently, the cognizance was taken on the basis of protest petition. It is further submitted that the petitioner was granted anticipatory bail in Cr. Misc. No. 39961 of 2013, but due to wrong statement made in bail application with regard to pendency of criminal case against the petitioner, he could not be released on bail. Consequently, petitioner surrendered.

Considering the facts that the petitioner was earlier granted anticipatory bail on merits, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Munger in connection with Complaint case no. 1088C of 2009.

(Dinesh Kumar Singh, J)

Sujit/-

U			
---	--	--	--