

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49558 of 2015

Arising Out of PS.Case No. -165 Year- 2015 Thana -KOTWALI District- MUNGER

1. Md. Rasid Son of Late Md. Ismile Resident of Mohalla - Gulzar Pokhar,
P.S. -Kotwali, District - Munger'

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Kotwali P.S.
Case No. 165 of 2015 registered for the offences punishable under
Sections 420, 468, 341 of the Indian Penal Code.

Allegedly, the petitioner and his son for selling land
took advance of Rs. 50,000/- from the complainant/informant and
thereafter, did not execute the sale deed and refuse to receive the
balance consideration amount and further did not pay back the
advance amount of Rs. 50,000/-.

Submission is of false implication and that it is
purely a case of civil nature, after ten years the case has been
lodged without any explanation, the informant is an Advocate and

wife of the petitioner was his client and in that process the informant obtained the signature resulting in false case. The petitioner is suffering in custody since 05.08.2015.

Learned APP submits that on the basis of complaint petition this case has been registered.

In the facts and circumstances stated above and considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kotwali P.S. Case No. 165 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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