

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23050 of 2015

Arising out of PS.Case No. -102 Year- 2015 Thana -MUZAFFARPUR TOWN District- MUZAFFARPUR

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Anand Mohan Shukla, Son of Late Radha Mohan Shukla, resident of Mohalla- Purani Bazar, Shukla Road, P.S. Town, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate.

For the Opposite Party : Mr. Anuj Kr.Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 10-07-2015 Heard learned counsel for the petitioner, informant as well as learned Additional P.P.

Complaint Petition No. 286 of 2015 was filed by Aditya Mohan Shukla which was sent to the local police for registration and investigation of the case alleging inter-alia that the petitioner has borrowed Rs. 6,00,000/- from him on 19.05.2010 and an agreement to that effect was endorsed that in case amount is not paid within one year then, in that event, amount will be repaid after sale of land. Because of the fact that the amount was not repaid therefore, they served advocate notice and in the aforesaid background it has been alleged that on the alleged date and time of occurrence, all the accused persons made house trespass caught

hold and assaulted him and during course thereof, they have encircled his neck with towel and tied with an intention to commit murder. Furthermore, on his cry when people assembled, all the accused persons fled away and during course thereof, Piyush took out Rs. 2500/- while Pratik Shukla threatened with dire-consequence.

From annexure-3, photo copy of sale deed it is apparent that the petitioner Anand Mohan Shukla through power of attorney had executed sale deed on 12.06.2010 in favour of the informant and consideration amount as is apparent, discloses Rs. 5,69,000/-

In the aforesaid facts and circumstances of the case, in the event of his arrest/surrender within four weeks from the date of production or receipt of the order, petitioner Anand Mohan Shukla will be released 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 C.J.M., Muzaffarpur, in connection with Town P.S. Case No. 102 of 2015, subject to conditions as enumerated under Section 438(2) of Cr. P.C.

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(Aditya Kumar Trivedi, J)