

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34534 of 2015

Arising Out of PS.Case No. -278 Year- 2014 Thana -BAHADURGANJ District- KISANGANJ

Rajesh Kumar Agrawal Son of Late Ratan Agrawal @ Ratan Lal Agrawal,
resident of Bahadurganj, P.S.- Bahadurganj, District-Kishanganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-08-2015

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehends his arrest in connection
with Bhadurganj P.S. Case No. 278 of 2014 registered for the
offences punishable under Sections 419, 420, 406 of the
Indian Penal Code.

Learned counsel for the petitioner submits that by
virtue of power of attorney executed by Mira Devi Basak and
Anita Basak on 08.02.2012 in favour of the petitioner along
with one Alimuddin, the petitioner was vested with power to
deal with the lands belonging to them. It is further submitted
that the said Alimuddin on the basis of the Power of Attorney
and without knowledge of this petitioner entered into Baybeyna
with a party for sale of the land of the said two ladies and
received a sum of Rs. 1 lac. It is further submitted that this
petitioner was not at all aware of the said transaction between
Alimuddin with one Radha Devi, who is the wife of the present

informant. So far as the petitioner is concerned, they had been jointly authorized to execute and to deal with the property of the said Mira Devi Basak and Anita Basak. Subsequently, the power of attorney issued in favour of the petitioner as well as Alimuddin was revoked vide Annexure-6 which is appended to the present supplementary affidavit filed today. Learned counsel for the petitioner thus, submits that the petitioner has no role in the transaction and the dealing of the property of two ladies would not be saddled with any responsibility of having taken any payment or having misappropriated any amount. So far as the allegation made by the informant is concerned, at best, it would have been attributed to the person, namely Alimuddin, who had received the money by way of Baybeyana and not this petitioner.

Considering the aforesaid submissions, let the petitioner, in the event of his arrest or surrender before the Court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Kishunganj in connection with Bhadurganj P.S. Case No. 278 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--