

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41902 of 2014

Arising Out of PS.Case No. -39 Year- 2014 Thana -DAGARUA District- PURNIA

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Pandit Gauri Nath Jha Son of Late Pandit Padum Nath Jha, Resident of
Village-Ramai, Ward No.-4, P.S.-Forbesganj, District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 10-04-2015

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner prays for anticipatory bail in a case
registered under Sections 406,420/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that
the informant along with co-accused Kavi Shankar Mishra has
cheated the petitioner, as the said Kavi Shankar Mishra has taken
an amount of Rs.1,50,000/- from the petitioner for the purchase of
a Tractor, but instead of giving a new Tractor, old Tractor of the
informant was given to him, for which some altercation took place
and the petitioner was threatened to be killed along with all of his
family members. With respect to the same, the petitioner filed a
complaint case under Sections 406, 420, 147, 323, 504, 120B and
34 of the Indian Penal Code against the informant and others,
including the said Kavi Shankar Mishra which has been registered

as a police case under Section 156 (3) of the Code of Criminal Procedure.

It is further submitted that the petitioner is an agriculturist and has no criminal antecedent, rather the petitioner himself has been cheated by said Kavi Shankar Mishra.

It is also submitted that the Tractor in question is now lying with the informant.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner, Pandit Gauri Nath Jha, in the event of his arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each in connection with Dagarua P.S. Case No.39 of 2014 to the satisfaction of the Chief Judicial Magistrate, Purnea, subject to the conditions laid down in Section 438 (2) of the Cr.P.C.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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