

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52090 of 2014

Arising Out of PS.Case No. -1549 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Sanjay Kumar Singh Son of Late Dev Narayan Singh Resident of Mohalla - 29, J.N. Tiwari Road, Dumdum Cantonment, Post - Dumdum, P.S. - Dumdum, Kolkata (West Bengal).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chandrabodh Kumar Singh son of Late Rash Bihari Singh.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Verma

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 07-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1549 of 2013 registered for the offences punishable under Sections 406, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

Learned counsel for the complainant has appeared upon notice having been issued to him. He has filed counter affidavit stating that despite the fact that the petitioner had already obtained compensation for the land from the State which was acquired by the State for construction of NH. The said land has been conveyed to him by the sale deed marked as Annexure-B to the Counter affidavit. The petitioner again sold the same to the complainant and has received a sum of Rs. 5 lacs for

the same. It has also been submitted by learned counsel for the complainant that another middle man namely, Pankaj Kumar Singh has also taken an amount of Rs. 5 lacs for which he is facing prosecution.

Learned counsel for the petitioner submits that the petitioner is willing to return back the money i.e. Rs. 5 lacs which has been entered in his account but so far as the amount which has been received by the said Pankaj Kumar Singh is concerned, petitioner is not liable for the same. It is further submitted that the petitioner will return the aforesaid amount of Rs. 5 lacs within a period of three months.

In view of the fact that petitioner undertakes to return the amount in question, 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 bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., (West) Muzuffarpur in connection with Complaint Case No. 1549 of 2013 corresponding to Trial No. 2915 of 2014.

It is made clear that on refund of Rs. 5 lacs being made by the petitioner to the complainant, the complainant will also

return back the original sale deed which is annexed as Annexures-
B and C to the counter affidavit.

However, if the complainant failed to obey the
condition mutually agreed upon by him, it shall be open to the
petitioner to take appropriate action in accordance with law.

(Anjana Mishra, J)

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