

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55569 of 2015

Arising Out of PS.Case No. -381 Year- 2014 Thana -SIWAN CITY District- SIWAN

Mukesh Manjhi son of Late Ram Ratan Manjhi, resident of village –
Salempur Mahadeva, P.S. Mahadeva (O.P.) Siwan Mufassil, District –
Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari (App)

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 14-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, namely, Mukesh Manjhi is in custody in
Siwan (T) P.S. Case No.381 of 2014 under sections 406, 420, 471
and 468/34 of the Indian Penal Code.

The complainant filed Complaint Case No.2409 of
2014 which was registered as F.I.R. According to the allegation
the petitioner has taken Rs.5 lacs and odd from the informant with
respect to land *bainama*. Subsequently he neither sold the property
nor returned the amount taken from the informant.

According to the learned counsel for the petitioner, the
dispute is of civil nature and alleged occurrence took place in the
year 2010 but still today the petitioner has not filed any suit for

specific performance or refund of the amount. In fact the informant had taken money from the petitioner and when he did not return the amount the petitioner also filed a complaint case being Complaint Case No.2186 of 2011.

Considering the allegation that there was an agreement between the parties to sell the property and that advance money was paid by the informant to the present petitioner, I direct the petitioner named above to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan (T) P.S. Case No.381 of 2014.

(Mungeshwar Sahoo, J)

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