

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14509 of 2015

Arising Out of PS.Case No. -404 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Akhilesh Mishra son of Late Satyendra Mohan Mishra, Resident of
Mohalla- Kalighat Lane, Adampur, P.S.- Adampur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s Mr. Anand Kishore Choudhary (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 09.04.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Kotwali
(Adampur) P. S. case no. 404/2014 registered under sections 420, 406,
467 and 468/34 of the Indian Penal Code.

It would appear from perusal of the first information report
itself that Rs 50,000/- as advance part consideration money was
deposited in the account of co-accused Rajesh Mishra and
furthermore, first information report reflects that it was co-accused
Rajesh Mishra who took advance from different persons for selling
lands in question and sold some part of lands in question.

So far as the petitioner is concerned, it is only stated that he
took Rs one lakh through cheque from the informant for urgent work.

In the first information report, informant has, nowhere,
stated that the aforesaid amount was taken by the petitioner in lieu of

negotiation of sale of land.

Accordingly, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Kotwali (Adampur) P. S. case no. 404/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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