

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18183 of 2015

Arising Out of PS.Case No. -162 Year- 2014 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Srawan Kumar S/o Bindeshwar Singh Resident of village - Pitaungia, P.S.
Rahui, District - Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Raj Bansh Dubey

For the Opposite Party : Mr. Uma Nath Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 30-06-2015 Heard learned counsel for the petitioner and the

informant.

The Petitioner seeks bail in Rahui P.S. case no.162
of 2014, registered for the offences punishable under Sections 420
and 406/34 of the Indian Penal Code.

One Alok Kumar owner of the land entered an
agreement for sale of land with the informant. The informant paid
the entire consideration money. It is alleged that after having
received the amount the Alok Kumar and his family members did
not execute the sale deed.

Contention of the petitioner is that even going by the
FIR, it would appear that Alok Kumar and his family members

had active role to play in the commission of crime. The petitioner, according to the FIR, itself was present at the time when the payments were made either to the Alok Kumar or to his parents. It is stated that the petitioner is in custody since 12.3.2015 having no criminal antecedent.

Learned counsel for the informant, on the other hand, opposed the prayer and submitted that in one of the papers the petitioner has signed as witness.

Considering the facts aforesaid, the petitioner, above named, is directed to be released 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 learned C.J.M. Nalanda at Biharsharif in connection with Rahui P.S. case no. 162 of 2014 subject to the following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive

dates, the trial Court shall have liberty
to cancel the bail bonds of the
petitioner and secure his arrest in
accordance with law.

(Kishore Kumar Mandal, J)

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