

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15657 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -BANGAON District-
SAHARSA

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Shiv Paswan Son of late Fudai Paswan resident of Village- Bariyahi
Harijan Coloney, P.S- Bagaon, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund, Adv.

For the Opposite Party/s : Mr. Jitendra Kr.Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 04-06-2015 A supplementary affidavit has been filed showing the

petitioner has been in custody since 30.08.2014. Let it be kept on

record.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in a case registered for the

offence punishable under Sections 406, 420, 468 of IPC.

Allegation is that the petitioner had told the informant

about the land which was being sold, thereafter the petitioner and

co-accused Gopal Krishna Rai got the price of the land settled and

later on, on different dates, the informant gave Rs.4,20,000/- to the

petitioner and co-accused Gopal Krishna Rai, but the sale deed

was not executed.

It is alleged that the petitioner and Gopal Krishna Rai have taken money from the informant and the same has not been returned to her.

It is submitted that the petitioner has only stated about the land. He has not taken any money. It appears from the stamp paper also that only Gopal Krishna Rai has put his signature in token of taking money from the informant. It does not bear the signature of the petitioner. The petitioner has no criminal antecedent and he has been in custody since 30.08.2014. After investigation charge-sheet has already been submitted and there is no chance of tampering with the witnesses.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/court concerned in Bangaon P. S. Case No. 45 of 2014 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each

and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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