

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33735 of 2015

Arising Out of PS.Case No. -329 Year- 2014 Thana -DAUDNAGAR District- AURANGABAD

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1. Brajesh Kumar Singh @ Brijesh Kumar Singh son of Sri Uday Narayan Singh, Resident of 9 F 53-154 Obra Project Colony, P.S. Obra District-Sonbhadra (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Prasad Singh

For the Opposite Party/s : Mr. Rajendra Singh Shastrijee(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-08-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

The prosecution case is that the informant entered into an agreement to purchase the land of his brother Vijay Sharma for consideration amount of Rs. 18,17,000/- for which sale deed was executed on 18.05.2012. Subsequently Vijay Sharma again took Rs. 11,00,000/- for transfer certain land of Mauza Shamsher Nagar also and thereafter Rs. 6,00,000/- was transferred in the account of Vijay Sharma and Rs. 10,00,000/- in the account of petitioner who happens to be the son-in-law of Vijay Sharma and subsequently Rs. 67,000/- was given in cash.

It is submitted by learned senior counsel for the petitioner that for the sale deed executed on 18.05.2012 by Vijay Sharma in favour of the informant, Rs. 10,00,000/- was transferred in the account of the petitioner on the same day.

It is submitted by learned counsel for the informant that the amount which was transferred in the account of this petitioner was for the transfer of land situated at Shamsheer Nagar and the said sale deed has not been executed till date.

Considering the agreement between the informant and his brother Vijay Sharma and thrust of accusation against Vijay Sharma, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 329 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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