

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50971 of 2015

Arising Out of PS.Case No. -82 Year- 2015 Thana -RANIYATALAB District- PATNA

Narendra Kumar @ Pappu Singh @ Narendra Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Gauri Shankar Gupta (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 04-11-2015

Heard learned counsel for the petitioner Mr.Sunil

Kumar alongwith Sushant Kumar and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Rani Talab P.S.Case No. 82 of 2015 registered for the offences punishable under Sections 323, 504, 406, 420, 467, 468/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the informant, namely, Dhananjay Kumar submitted a written application to the officer-In- Charge of Rani Talab P. S. on 03.09.2015 alleging therein interalia that on 24.06.2013 he entered into an agreement with the petitioner for purchase of Khata No. 165, Plot No. 2306, area 81/2 katha and as per agreement paid Rs. 5,60,000/- on 24.06.2013, Rs. 3,50,000/- on 17.07.2013 and rest Rs. 1,30,000/- on 23.12.2013 to the petitioner. The petitioner is alleged to have told to come with



registration papers. The informant met with the petitioner but the petitioner did not come with registration papers and lingered the matter. When the informant went to the petitioner after one month, he denied to execute sale deed. Thereafter, the petitioner and co-accused Madan Kumar entered in the house of the informant and both came with pistol in their hands. The petitioner fired on the informant which passed just near his temporal region. The second fire was made by co-accused Madan Kumar, which passed just beside his waist. Thereafter, the informant fled.

It has been submitted by the learned counsel for the petitioner, that the petitioner has clean antecedent, which finds place at para-3 of this petition.

It has further been submitted that the dispute was with regard to the property and with regard to transfer of land and agreement was to be executed between the petitioner and the informant.

Furthermore, it has been submitted by the learned counsel for the petitioner that the agreement between the parties has been registered after full and final settlement in the month of October and no dispute remains between the petitioner and the informant. However, no documents were filed in support of the said statement.

Be that as it may, in case of arrest or surrender within a period of six weeks from today before the Court below, the above named petitioner will be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Kumar Madhvendra, learned Judicial Magistrate, 1st class, Danapur, Patna in connection with Rani Talab P.S.Case No. 82 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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