

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31961 of 2015

Arising Out of PS.Case No. -370 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Rajendra Prasad Ojha Son of Late Abhiram Sharan Ojha resident of
village - Dadhapi, P.S. Goh, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Pravawati D/o Pravaw Rajak R/o village - Odhapi (Dadhapi),
P.O. + P.S. Goh, District - Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 06-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case
in which process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 420 and
504 of the Indian Penal Code.

The prosecution case is that the father of the petitioner
leased his land for three years after receiving consideration of
Rs.1,50,000/- to the complainant vide Mortgage Deed No. 6975
dated 17.6.2011 but when the complainant went to cultivate the
land, the son of the petitioner objected, thereafter the complainant
demanded his Rs.1,50,000/- but the same was not returned.

It is submitted by the learned counsel for the petitioner that the lease deed as claimed by the complainant was executed on 17.6.2011 for three years but there is no proof of any payment and the present complaint was lodged on 18.7.2013 after more than two years. It is further submitted that the complaint has been lodged maliciously and Money Suit No. 7 of 2015 has also been filed by the complainant. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad in connection with Complaint Case No. 370 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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