

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12229 of 2016**

Arising Out of PS.Case No. -10 Year- 2014 Thana -KAJI MUHAMMADPUR District- MUZAFFARPUR

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1. Mohammad Moti Alam Son of Md. Kalam resident of village- Rasulpur Juneda, P.S.- Motipur, District- Muzaffarpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s Mr. Md.Sufiyan(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

02/ 29.03.2016 Heard learned counsel for the petitioner, learned Addl.

Public Prosecutor for the State as well as learned counsel for the informant.

Petitioner seeks bail in a case registered under sections 406, 420 and 120B of the Indian Penal Code.

Petitioner played the role of mediator and accusation against him is that he assured the informant to make payment of consideration money of sale in question but subsequently, petitioner did not make payment of consideration money to the informant.

The contention on behalf of the petitioner is that the informant executed and got registered sale deed in favour of other accused after taking entire consideration amount but subsequently, with ulterior motive, informant lodged this false case against the petitioner and others.

Learned counsel appearing for the informant vehemently opposes the prayer submitting that petitioner and other accused

digested entire consideration amount and, as a matter of fact, informant in good faith put signature on the sale deed.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner is in jail custody since 15.12.2015, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate I, Muzaffarpur in Kazi Mohammadpur P.S. Case no. 10/2014.

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(Hemant Kumar Srivastava,J)

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