

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13049 of 2016

Arising Out of PS.Case No. -657 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sagar Sharma Son of Late Khelawan Mistri @ Ramkhelawan Mistri, resident of Mohalla- Damrahi Ghat, Patna City, P.S.- Malsalami, Dist- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nepali Singh @ Shivjee Singh son of Late Mohit Narayan Singh resident of Mohalla- Damrahi Ghat, P.S- Malsalami, Dist- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar
For the Opposite Party/s Mr. Sahin Begum (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 07.04.2016 Heard learned counsel for the petitioner, learned Addl. Public Prosecutor for the State as well as learned counsel for the complainant.

Petitioner seeks bail in Complaint case in which cognizance for the offences punishable under sections 420 and 406 of the Indian Penal Code has been taken.

The accusation against the petitioner is that he took huge amount in advance for execution of a sale deed and at that time, the petitioner was holding the power of attorney but subsequently, petitioner refused to execute sale deed as well as to return the amount taken by him. The complaint petition discloses that the amount was taken on 28.11.2013 and admittedly, at that time, petitioner was holding the power of attorney but subsequently, owner of the land

cancelled the power of attorney on 26.3.2014.

Learned counsel for the complainant points out that the complainant has already filed civil suit against the petitioner and the original owner and the said civil suit is pending.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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, Patnacity in Complaint case no. 657/2015.

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(Hemant Kumar Srivastava,J)

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