

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41120 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Amrendra Kumar Shukla @ Amrendra Shukla @ Pappu Shukla, S/o
Raekbal Shukla, of Vill.- Pataura Mathia, P.S.- Motihari Muffasil, Dist-
East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Mukesh Kumar, S/O Basistha Sukla, R/O Village-Pataura Tola Mathia,
P.S. Matihani Muffasil, District-East Champaran, Motihari.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Sangeet Deokuliar, Advocate.
For the Opposite Party : Mr. Tapeswar Sharma(App)
For the Informant : M/S. Anil Kumar & Madanjeet Kumar,
Advocates.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 14-12-2016 In light of supplementary affidavit filed on behalf of

learned counsel for the petitioner, he is permitted to make

necessary correction in paragraph no. 3 of the petition, in course of

the day.

Heard learned counsels for the petitioner, informant and

learned counsel for the State.

The petitioner is apprehending his arrest in connection

with Motihari Mufassil P.S. Case No. 119 of 2015 for the offences

instituted under Sections 420, 467, 468, 471, 406 and 120(B)/34 of

the IPC.



The prosecution story, in brief, is that for the land appertaining to Khata No. 84, Khesra No.253, a talk was finalized between the informant and Ramyash Shukla at the rate of 2.10 Lacs per Dhur and has paid Rs. 14.70 Lacs to Ramyash Shukla who on 18.03.2015 registered only 2 Dhurs of land and when he asked them to return the rest amount then Ramyash and his son told that they will execute the rest of land later on or will return his money. When he went to take over the land he was not allowed by them. He came to know that the petitioner has executed a sale deed on 20.03.2015 to one Pankaj and when he organized Panchayati they pressurised him for further Rs. 5,00,000/-.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. As per the prosecution case, one Ramyash Shukla had entered into an agreement for sale of land with the informant. The entire share of the land was not executed in favour of the informant. In the agreement, certain portion of the land which belongs to the petitioner is also included. Admittedly, there was no agreement of the informant with the petitioner for executing the land in question. The matter relates to civil dispute.

On behalf of the learned counsels for the State and the



informant, it has been submitted that the petitioner is named in the F.I.R. and he has conspired with other co-accused in committing the offence.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Motihari Mufassil P.S. Case No. 119/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Sadar, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

