

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34089 of 2016

Arising Out of PS.Case No. -486 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Jitendra Kumar, Son of Shri Jay Lal Ray, resident of Village- Chandmari
Lodipur, Police Station- Sahpur (Danapur), District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Sajay Rai, Son of Late Yamuna Rai, resident of Village- Lodipur
Bajar, Police Station- Maner, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Sri Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Complaint Case No. 486(C) of 2015 registered under Sections

120(B), 406, 480, 468, 323 and 504 of the Indian Penal Code.

The accusation is that on 25.07.2014 petitioner came

and met to complainant and asked him to exchange his old tractor

to new tractor. On the advice of the petitioner, complainant came

at the agency of Rohit Tractor with petitioner and met to Arvind

Kumar, owner of the said Rohit Tractor Agency. Complainant was

informed that the price of new Tractor Rs.5,25,000/- and the price



of old Tractor was fixed Rs.2,00,000/- and assurance was given to provide Rs.3,25,00/- from Mega Finance. At that time, the complainant put his signature on several documents and he handed over the documents of old Tractor. Thereafter, petitioner along with others came at the house of complainant and took Rs.35,000/- to him for registration and insurance of the Tractor. When the complainant went to the office of Rohit Tractor, one Mahindra Tractor was handed over to him with the documents of Tractor. At the same time, the Tractor met with an accident then complainant consulted to Arbind Rai, who asked to send the Tractor at agency saying that repairing cost will be given by Insurance Company. But his Tractor has not been returned and demand of Rs.1,50,000/- was made to return the Tractor and its paper.

Learned counsel for the petitioner submits that petitioner is an agent of the Rohit Tractor and the dispute between the owner of the Rohit tractor, finance company and the complainant but the petitioner has falsely been implicated in this case. It is further submitted that petitioner has no criminal antecedent.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or

surrender before the learned Court below within a period of six 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 the J.M. Ist Class-cum-Additional Munsif-III, Danapur, Patna in connection with Complaint Case No. 486(C) of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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