

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38124 of 2016

Arising Out of PS.Case No. -138 Year- 2015 Thana -KHUSRUPUR District- PATNA

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Arman Singh @ Niraj Kumar Singh Son of Sunil Kumar Singh Resident of Village- Nuruddinpur, P.S. Khushrupur, District Patna, at Present resident of Mohalla- New colony, Nimtal Khushrupur, PS. Khushrupur, Distt Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-12-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 420, 467, 468 and 471 of the Indian Penal Code.

Allegation is that informant's husband wanted to purchase a land. He contacted with petitioner and one Ranjit Kumar Sinha and with their help he purchased a land on a consideration money of Rs.7,60,000/-. Out of that consideration money, Rs. 2 lacs as advance was paid to Ranjit Kumar Sinha and rest was paid to both petitioner and Ranjit Kumar Sinha at the time of registration but by impersonating fake registration was made. Thus, informant and his husband were cheated by petitioner.

It is submitted on behalf of the petitioner that he has falsely been implicated in the present case. No allegation of tampering of witnesses is alleged against petitioner. Petitioner has been made accused due to mistake of fact. The entire land in



question has already been settled with the complainant which is evident from the order dated 15.9.2016 passed in B.P. no. 812 of 2016 by Ist Addl. Sessions Judge, Patna City.

On behalf of the State and the informant, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his/her arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Ashutosh Kumar Rai, learned Judicial Magistrate, Ist Class cum Additional Munsif-IV, Patna City, in connection with Khushrupur P.S. Case no. 138 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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