

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7300 of 2016

Arising Out of PS.Case No. -156 Year- 2014 Thana -ANDER District- SIWAN

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1. Brij Mohan Upadhyay Son of Late Thakur Upadhyay resident of Village
- Hujhuipur, P.S. - Andar District - Siwan (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra

For the Opposite Party/s Mr. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 16.02.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

The present case has been lodged on the basis of complaint
petition filed by the informant against the petitioner and his son and it
is alleged that petitioner and his son took Rs 90,000/- from the
informant to send his son abroad but neither son of the informant was
sent to abroad nor the aforesaid money was returned to him.

The contention on behalf of the petitioner is that informant
wanted to purchase some lands from the petitioner and when the
petitioner refused to transfer the said land, informant lodged this false
case and moreover, there is no documentary evidence to show that the
petitioner had taken any money from the informant.

Petitioner is in jail custody since 22.08.2015 and
investigation against him has already been completed and it appears
that further detention of the petitioner is not warranted.

Accordingly, petitioner is directed to 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 Chief Judicial Magistrate, Siwan in Andar P.S. Case no. 156/2014.

shahid

(Hemant Kumar Srivastava,J)

