

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32069 of 2016

Arising Out of PS.Case No. -412 Year- 2013 Thana -SHASTRINAGAR District- PATNA

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1. Arbind Kumar S/o Late Jagdish Prasad Resident of Mohalla - Professor
Colony, P.S. Shastri Nagar, District – Patna Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Shastri
Nagar P.S. Case No. 412 of 2013 registered for the offences
punishable under Sections 406, 420, 467 and 471 of the Indian
Penal Code.

Allegedly, the petitioner being Director of Jai Shree
Housing and Finance Company Limited sold a piece of land to the
informant on 05.05.1993 and piling was done and the rent receipt was
also got issued by the petitioner. The informant gave that land to
Ramesh Rai who is cultivating the same and when the informant
went to erect boundary wall in June, 2103, some persons caused
threats and made objection and when the petitioner was contacted
then he told that due to some mistake that land has been sold in the
year 2010-11 and thereafter, started causing threats in the name of

Anant Singh and his men.

Submission is of false implication and that without any fault the petitioner is suffering in custody since 23.05.2016, the petitioner is ready to return the amount which he has received at the rate of the year 2010 but the informant is not ready to receive the amount and she is insisting for the land. The dispute appears purely of civil nature, no forgery has been committed by the petitioner and as such he deserves sympathetic consideration as no fruitful purpose is going to be served by detaining him in custody, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Patna in connection with Shastri Nagar P.S. Case No. 412 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on

his part without any reason shall disentitle the petitioner from
privilege of bail.

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(Jitendra Mohan Sharma, J)