

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37227 of 2016

Arising Out of PS.Case No. -106 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

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1. Sheo Shankar Singh Son of Late Jai Ram Singh, Resident of village -
Kharauni, P.S. Udawant Nagar, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the State : Mr. Parmeshwar Mehta, APP

For the Informant : Mr. Md. Najmul Hodda, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-10-2016 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 406, 420, 504, 506/34 of the I.P.C. and
Section 138 of the N.I. Act.

The allegation is that on proposal by the petitioner to
sell his land, the informant gave him Rs.3,66,000/- for agreement
and then registration. Thereafter the petitioner sold his land to
another person.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 15.6.2016 and the charge sheet
has been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. The

petitioner has falsely been implicated in the present case due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs.3,66,000/- within a period of three months in the equal instalments in the court below. The said amount may be released in favour of the informant.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The counsel for the informant has agreed to the proposal made by the counsel for the petitioner.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on provisional bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udawant Nagar P.S. case No.106 of 2016 with a direction that he shall deposit the aforesaid amount within a period of three months in equal instalments in the court below and the said amount shall be released in favour of the informant. On doing so, the provisional bail granted to the petitioner shall be confirmed by the court below and necessary steps will be taken on behalf of the parties for filing a joint petition in the court below for dropping the prosecution.

If the aforesaid amount is not deposited within the stipulated period, the court below will be at liberty to cancel the provisional bail granted to the petitioner.

(Sudhir Singh, J)

Narendra/-

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