

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44179 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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Ramesh Baitha, Son of Amochan Baitha, resident of Village- Dipahai,
Police Station- Chiraiya, District- East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate.
For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 21-10-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Chiraiya P.S. Case No. 74 of 2016 registered under Sections 147,
406, 420, 467, 468, 471, 323, 504 and 379/34 of the Indian Penal
Code.

The accusation is that seven persons named in F.I.R.
including the petitioner being the members of joint family talked
to sale 1 Katha 5 Dhoor land to the informant on payment of
consideration on Rs.2,50,640/-. On taking Rs.2,00,000/- as
advance they executed the deed of agreement to execute the sale
deed on receiving the remaining consideration amount and in case
of non executing the sale deed they will return the money with
interest. In spite of repeated request, they did not execute the sale

deed and also requested to return the money. On 12.01.2016 when complainant-informant was sitting at his Baithka then petitioner along with others came and started to assault and they also snatched a gold chain worth Rs.50,000/-.

Learned counsel for the petitioner submits that, in fact, father of the petitioner has lodged Chiraiya P.S. Case No. 11 of 2016 on 10.01.2016 against the informant and others, under Sections 147, 148, 323, 448, 324, 376 and 504 of the Indian Penal Code due to that reason, the present false case has been lodged. 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 S.D.J.M., Sikarhana at Dhaka, East Champaran at Motihari, in connection with Chiraiya P.S. Case No. 74 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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