

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50791 of 2016

Arising Out of PS.Case No. -154 Year- 2015 Thana -BARIYARPUR District- MUNGER

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Ram Narain Sinha 'Raman' @ Ram Narayan Sinha 'Raman' Son of late Brij Nandan Sinha, Resident of Village- Gandhipur, Police Station - Bariarpur, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ajay Kumar Mandal Son of late Budhan Mandal, Resident of Village- Pariya Police Station- Bariarpur, District Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 406/420 of the Indian Penal Code.

The prosecution case, in brief, is that the petitioner has agreed with informant for sale of land for consideration amount of Rs.5 lacs. The petitioner represented himself as an owner of land but subsequently discovered that jamabandi is existed in the name of his son, namely, Pramod Kumar and said Pramod Kumar died and his widow solemnized her other marriage. The petitioner received Rs.3,50,000/- from the informant but he did not return the consideration amount and he has no right to execute the sale

deed.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The matter relates to civil dispute. It is a case and counter case between the parties. . It is further submitted that the petitioner is ready to deposit an amount of Rs.60,000/- in the court below, which may be released in favour of the informant within a period of eight weeks.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner is ready to deposit an amount of Rs.60,000/- in the court below, which may be released in favour of the informant within a period of eight weeks and on doing so, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Bariarpur P.S. case

No.154 of 2015, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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