

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23335 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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Raju Sharma, Son of Sri Satya Narayan Sharma, resident of Village-
Mahamadabad, Police Station- Babarganj in the District of Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Babulal Mandal, son of Late Sukhi Mandal, resident of Village-
Suryalok Colony, Bagwari, Police Station- Babarganj in the district of
Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Akhileshwar Pd. Singh, Sr. Advocate, Mr.
Bimal Kumar and Mrs. Anita Kumari
Singh, Advocates.

For the State : Mrs. Reena Sinha, A.P.P. 163.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 21.02.2017
in connection with Mojahidpur (Babarganj) P.S. Case No. 90 of
2016 for the offences instituted under Sections 406, 420, 467, 468,
504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 03.06.2014, the
informant decided to purchase a land from this petitioner on
consideration amount of Rs. 4,91,000/-. On 26.05.2014 Rs.



50,000/- through Cheque was given as an advance. On 13.12.2014 Rs. 3,00,000/- cash was also given to the petitioner. One Kamal Kishore Yadav was bailor in payment of the amount. In spite of payment of amount, the sale deed was not executed. When the informant asked the petitioner to refund the amount the petitioner given a cheque of Rs. 4,01,000/- which got bounced. When the informant went to the house of the petitioner for demanding money, this petitioner, Bhola Sharma, Satya Narayan Sharma and other abused and assaulted him with an intention to commit murder.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.02.2017. There is no allegation of tampering of the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. He has got no criminal antecedent. The matter relates to civil dispute. There is no documentary evidence to support the allegation.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur,



in connection with Mojahidpur (Babarganj) P.S. Case No.
90/2016.

(Sudhir Singh, J)

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