

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37891 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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Jitendra Kumar Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Pakridayal P.S. Case No. 163 of 2016 instituted for the offence under Sections-420, 504, 506/34 of the Indian Penal Code.

It has been alleged in the written report that the informant gave Rs. 2,50,000/- for the appointment of his son in Military Service. The petitioner assured for appointment within three months but he failed to get appointment of informant's son. Thereafter, the informant made demand of his money, but petitioner and other co-accused persons abused the informant. The petitioner entered into an agreement that in the event, he could not get appointment for his son, he will return the money within four months, but he did not return the same.

Counsel for the petitioner has submitted that he returned the money but the informant denied to receive the money. In the agreement which has been annexed as Annexure-2 to this petition, it is mentioned



that in the event, he does not pay Rs. 2,50,000/-, then the informant will execute sale deed of five Kathas of land.

From the allegation in the written report and the agreement entered into between the parties, it appears that money was voluntary paid by the informant to the petitioner.

In such circumstances, prayer for bail is allowed. The petitioner named above is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Pakridayal P.S. Case No. 163 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Motihari subject to condition that both the bailors should be close relative of the petitioner.

(Sanjay Priya, J)

A.K.V./-

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