

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26508 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -DARBHANGA District- DARBHANGA

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Binod Kumar Mandal, S/o Late Bishwanath Mandal, Resident of Benta
Chauk, P.O. & P.S.- Benta, Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar Jha

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Darbhanga Town P.S. Case No. 11 of 2017, registered under
Sections 420, 406 and 409/34 of the Indian Penal Code.

The accusation is that, on 03.07.2017, the petitioner
executed the registered power of attorney in respect 22 dhoor land
on consideration amount of Rs.51,00,000/- in favour of informant,
Gauri Shankar Mandal, on which, son of the petitioner put his
signature as witness. After some time, informant came to know
that the aforesaid land belonging to the petitioner and also to his
one brother, but petitioner executed the power of attorney and
after some time, sister-in-law of the petitioner also sold 11 dhoor
of her share, on 25.08.2012, then informant asked to the petitioner



to return the 1/2 consideration amount, but he did not take any heed. In the meantime, remaining land was also sold by Bishwajit Mandal, son of the petitioner. As such, the petitioner grab Rs.51,00,000/-.

Learned counsel for the petitioner submits that while petitioner had executed the power of attorney appointing him representative to execute the sale deed to anyone, but consideration amount was not taken by the petitioner, which would appear from the power of attorney, which is the part of the F.I.R.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his 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 Chief Judicial Magistrate, Darbhanga, in connection with Darbhanga Town P.S. Case No. 11 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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