

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35068 of 2017

Arising Out of PS.Case No. -1545 Year- 2011 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Roop Kishore Shukla, son of Late Murlidhar Shukla.
 2. Bhagwati Prasad Saraswat, son of Late Indara Chand Sarswat.

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 13-12-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 1545 of 2011 registered under Sections 120B, 420, 406, 465, 467, 471, 323, 504 and 506 of the Indian Penal Code.

The accusation is that petitioner being the Developer entered into an agreement to develop the plot no. 398 of Khata No. 554 and to construct the multi storeyed building with the complainant-opposite party no. 2 and complete the work till 2011. The petitioner while removed the old construction sold extracted material, but he did not complete the work in time.

Learned counsel for the petitioner submits that, in fact,



much time was consumed in removing the old construction and in the meantime, complainant-opposite party no. 2 sent the legal notice to the petitioner and again entered into an agreement with other developer, namely, M/S Sri Anupma Developers Private Limited, in respect to same land on 05.11.2015, which would appear from annexure 4 to the supplementary affidavit.

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 Additional Chief Judicial Magistrate-XI, Bhagalpur, in connection with Complaint Case No. 1545 of 2011, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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