

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25069 of 2017

Arising Out of PS.Case No. -175 Year- 2016 Thana -LAUKHA District- MADHUBANI

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Raj Kumar Sharma Son of Brahmdeo Thakur, Resident of Narayanpur, P.S.
Laukaha, District Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest
in connection with Laukaha P.S. Case No. 175 of 2016 registered
for offences under sections 406, 420 of the Indian Penal Code.

In the First Information Report, the petitioner, an
Amin, has acted as a middleman for sale of land. As per
allegation, he has given an impression to the Informant that he will
materialize the sale of the land and given Rs. 1,35,000/- and
assured the Informant that rest of the amount i.e. Rs. 65,000/- will
be given by him after one week. After execution, when the vendor
approached to the vendee, he was communicated that he had
already given money to the petitioner but, when he approached to



the petitioner for the money, he denied the payment.

Learned counsel for the petitioner submits that he has not taken money and all the money has been paid to Informant and as it is the extra money, the same is not permissible.

If the petitioner deposits Rs. 65,000/- in the court below, the court below will be obliged to invest the same either in the bank or in the post office which may earn its maximum interest and release of money will be dependent on the final outcome of the case.

Thus, if the petitioner deposits Rs. 65,000/- in the court below within a period of three weeks from today, let the petitioner, namely, Raj Kumar Sharma, in the event of his arrest or surrender before the court below within a period of three weeks from today, 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 Sri M. Mishra, learned Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case No. 175 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shivaji Pandey, J)

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