

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20 of 2017

Arising Out of PS.Case No. -123 Year- 2016 Thana -JANDAHA District- VAISHALI(HAJIPUR)

- =====
1. Kamleshwar Thakur, son of late Prabhu Thakur,
 2. Santosh Kumar, s/o Kamleshwar Thakur, both are Resident of village - Rampur Borhan, P.S. Jandaha, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/ : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 10-01-2017

Learned counsel for the petitioner seeks permission

to withdraw the application in so far as the petitioner No.1, Kamleshwar Thakur, is concerned since he has been arrested in the meanwhile.

The application is dismissed as withdrawn in so far as it relates to petitioner No.1-Kamleshwar Thakur.

Heard learned counsel for the Petitioner No.2 and the State.

The Petitioner No.2 apprehends his arrest in Jandaha P.S. Case No.123 of 2016 instituted for the offence under Section(s) 406, 420/34 Indian Penal Code.

It is alleged that the informant made a deal with the accused persons for purchase of land @ ₹2,50,000/- per kattha



out of which, it is alleged that, ₹50,000/- was paid to Kamleshwar Thakur as advance money. Thereafter, a sum of ₹4,00,000/- was also given to Kamleshwar Thakur, but the accused persons did not execute the sale deed in favour of the informant. It has further been submitted that the petitioner No.2 is the son of Kamleshwar Thakur (petitioner No.1) and there is nothing specific against petitioner No.2.

From the written report, it appears that there is nothing specific against petitioner No.2. In the circumstances, prayer of the petitioner No.2 for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner No.2 (Santosh Kumar) within six weeks from today in connection with Jandaha P.S. Case No.123 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-XI, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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