

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46490 of 2017

Arising Out of PS.Case No. -482 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Vinod Rai Son of Tej Bahadur Rai Resident of Village - Rampur, P.S. -
Rajpur, District : Buxar.

.... Petitioner

Versus

1. The State of Bihar.
2. Sanjay Kumar Singh Son of Jagdish Singh Resident of Village - Tilai
P.S. Nokha Dist - Rohtas at Sasaram.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate
For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-10-2017 Heard both sides.

Petitioner apprehends his arrest in Complaint Case
No.482 of 2014 under Sections 406, 420, 504 and 506 of the
Indian Penal Code.

The complainant alleged that in the year 2009, the
petitioner purchased Pahari soil worth Rs.5,82,000/- from the
complainant but the petitioner paid Rs.3,20,000/- to the
complainant and Rs.2,62,000/- is still lying due against the
petitioner.

Learned counsel for the petitioner submits that there
is no cheat of paper to show that the petitioner had purchased



Pahari soil from the complainant and on account of ill behaviour by the complainant, the petitioner stopped from taking Pahari soil from the complainant. That is why the complainant filed a case making false and frivolous allegation.

On the other hand, learned counsel for the complainant submitted that the petitioner always took soil from him and paid Rs.3,20,000/-.

It appears that there is a dispute with regard to payment of price of soil and the complainant has not annexed any cheat of paper to show that how much soil the petitioner purchased from him.

Considering the facts aforesaid, petitioner above named is directed to be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four 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 C.J.M., Rohatas at Sasaram in connection with Complaint Case No.482 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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