

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4119 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -GOVINDPUR District- NAWADA

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Sanjay Yadav, son of Masudan Yadav @ Masudan Prasad, resident of
village- Jethsari, P.S.- Govindpur, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

3 06-02-2018 Heard learned counsels for the petitioner and the State as
well as the informant.

The petitioner, already in custody, seeks bail in connection
with Govindpur P.S.Case No. 50 of 2017 registered under
Sections 406, 420, 467, 468 and 506 of the Indian penal Code.

Allegation in brief is that petitioner cheated the informant
by taking Rs. 08 lacs and getting executed 04 decimals land in his
favour on the promise to get the informant's son employment in
Police Department.

Learned counsel for the petitioner submits that in fact, for
the sake of argument, illegal agreement is not enforceable and
there is no *prima facie* material to show that money was
transmitted to the petitioner and he has filed a money suit against
the informant for realizing money as he had taken loan from him
and not returned back and the petitioner is in custody since



08.12.2017. Learned counsel, however, submits that in fact there are several criminal antecedents mentioned in the impugned order itself, but inadvertently it was not mentioned in the original bail application but subsequently by filing supplementary affidavit, all the criminal antecedents have been brought on record.

Learned counsel for the informant submits that money was given to the petitioner after withdrawing money from fixed deposit, but the money was given in cash and he has a large number of criminal antecedents.

Having considered the aforesaid facts and circumstances, the petitioner, namely, Sanjay Yadav, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada in connection with Govindpur P.S. Case No. 50 of 2017 with condition that one of the bailor must be his close family member. Petitioner shall remain physically present on each and every date during trial and in case of failure on two consecutive dates without any medical emergency, his bail bond shall liable to be cancelled.

I.A. No. 328 of 2018 stands disposed of.

(Arun Kumar, J)

Sujit/-

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