

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59110 of 2018

Arising Out of PS.Case No. -58 Year- 2018 Thana -RAJIVNAGAR District- PATNA

- =====
1. Manoj Kumar @ Pappu Kumar, Son of Rajendra Prasad, resident at Khajpura, Police Station Rajeev Nagar, District- Patna.
 2. Ranjan Kumar @ Pramod Chaubey, Son of Shivashish Chaubey, resident of Ambedkar Path, Anand Bihar, Police Station Rupaspur, District- Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Rajeev Nagar P.S. Case No. 58 of 2018 registered for the offences punishable under Sections 420, 406, 467, 468, 469, 470, 471, 504, 506, 120B of the Indian Penal Code.

The petitioners entered into an agreement along with informant to sell certain lands and in pursuant thereto, they received certain amount through cash and cheque but subsequently, the informant learnt that lands in question belong to Housing Board.



Learned counsel for the petitioners submits that as a matter of fact, petitioners were themselves cheated by one Nagendra Prasad who entered into an agreement with petitioners to sell the lands in question and the petitioners paid heavy amount to the aforesaid Nagendra Prasad.

However, in course of hearing, learned counsel for the petitioners fairly conceded this fact that cheque of rupees six lacs was credited in the account of petitioner no. 1 and petitioner no. 1 is ready to return the aforesaid amount to the informant within a period of three months.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioner no. 2, namely, Ranjan Kumar @ Pramod Chaubey, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-III-cum Additional Chief Judicial Magistrate, Patna in Rajeev Nagar P.S. Case No. 58 of 2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 1, namely, Manoj Kumar @



Pappu Kumar is concerned, it is ordered that he be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-III-cum Additional Chief Judicial Magistrate, Patna in Rajeev Nagar P.S. Case No. 58 of 2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C. and also subject to condition that he shall return the amount of rupees six lacs to informant within three months and shall produce receipt thereof before the learned court below within the above stated period of three months and if he fails to do so, the learned court below shall be at liberty to cancel the bail bonds of petitioner no. 1, namely, Manoj Kumar @ Pappu Kumar.

In the aforesaid manner, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

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