

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12652 of 2018

Arising Out of PS.Case No. -544 Year- 2017 Thana -MASAURHI District- PATNA

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Julum Yadav, S/o Late Ram Lakhan Yadav, R/o Village- Gangachak
Malikana, P.S.- Masaurhi, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner apprehends his arrest in **Masaurhi**
P.S. Case No. 544 of 2017 instituted for the offence under
Sections 341, 323, 504, 420 and 406/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
this false case has been filed by the informant. In fact, the
informant has cheated the petitioner. The petitioner has pointed
out Annexure-2 which is agreement for sale entered into between
the mother-in-law of the informant and the petitioner on 15.4.2017
for purchase of 1.5625 decimal of land, for which, the petitioner
has already paid an advance of Rs.50,000/- as per agreement. The
mother-in-law of the informant is neither executing the sale deed



of the aforesaid land nor returning the money of the petitioner. When the petitioner made demand of his money, this false case has been filed by the informant on 14.11.2017 levelling allegation that petitioner has taken Rs.30,000/- from him for execution of the sale deed. It has further been submitted that there is no chit of paper in support of the statement of the informant that petitioner has taken Rs.30,000/- from the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Masaurhi P.S. Case No. 544 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **Sri Rajiv Kumar, learned Judicial Magistrate, 1st Class, Masaurhi**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers



with the evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of bail of
the petitioner.

(Sanjay Priya, J)

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