

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33638 of 2018

Arising Out of PS. Case No.-62 Year-2018 Thana- WARISNAGAR District- Samastipur

Arjun Rai S/o Late Saryug Rai, R/o Vill.- Mannipur, P.S.- Warisnagar,
(Mathurapur O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-07-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Warisnagar P.S. Case No. 62 of 2018 dated 19.03.2018 instituted for the offences under Sections 406, 420 and 506 of the Indian Penal Code.

The FIR has been lodged by one Rajesh Kumar Singh who has alleged that despite the petitioner and his sister-in-law having accepted money, the petitioner did not execute the sale deed. As the allegation stands, the sister-in-law of the petitioner viz. Gauri Devi went to the registry office and performed her part of the obligation. The petitioner, on the other hand, ran away from the registry office.

However, this Court is at a loss to understand



as to how the informant has lodged this case. The averments made in the FIR do not make out clearly as to who wanted to purchase the land and for the purchase of the aforesaid property, who had paid the amount.

Learned counsel for the petitioner has submitted that the informant is not the purchaser and he is not even the witness to the agreement. The allegation therefore in the FIR is absolutely vague which does not merit any investigation also.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case No. 62 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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