

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30400 of 2018

Arising Out of PS.Case No. -21 Year- 2018 Thana -PAUTHU District- AURANGABAD

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1. Birendra Chaudhary son of Late Ram Khelawan Chaudhary Resident of
Village - Barpa Tola - Bahuara, P.S. - Pauthu, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 06-10-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406/420/34 of the Indian Penal Code.

The informant claims to have purchased the referred plot through registered sale deed in the year 2004. Thereafter from the same vendor the petitioner allegedly purchased the same plot in the year 2017.

Submission of the learned counsel for the petitioner is that the petitioner is purchaser for consideration and if he had purchased property from a non-title holder, in fact the petitioner had been cheated and not the informant.



Learned counsel for the informant opposed the prayer on the ground that the petitioner purchased the land under a conspiracy as he is adjoining raiyat and was aware of the fact that the same vendor had sold the plot in 2004 to the informant.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Pauthu Police Station Case No.21 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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