

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41485 of 2018

Arising Out of PS.Case No. -203 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Harendar Singh @ Harendar Rai S/o Late Balrup Singh, R/o Vill.-
Bahpura, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chanarik Rai S/o Late Bankey Lal Rai, R/o Vill.- Jowarakhan Tola
Maner and Distt.- Patna and present Address New Mubarakpur, P.S.-
Shahpur and District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar Singh

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Complaint Case No.203(C) of 2016 , registered for offences
punishable under Sections 420, 406, 468, 467, 120(B) of the
Indian Penal Code.

Allegation against the petitioner as per FIR is that an
agreement was executed between Kapurchand Paswan and the
complainant for sale of 31 decimal of land at Rs.17 lac and he has
given Rs.17 lac and thereafter the sale-deed was not executed and
the petitioner was mediator in that case. Further allegation is that
the petitioner out of Rs.17 lac has taken Rs.8,50,000/- on 5.8.2017.



Submission of the learned counsel for the petitioner is that he is only witness in that case, which will appear from the fact that another case had been lodged in the year, 2015 by the complainant and in that case he is witness and moreover the land belongs to Kapurchand Paswan.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that the petitioner has taken Rs.8,50,000/-.

Having heard both sides and in view of the facts and circumstances, as stated above, as the petitioner is mediator, as such let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned sri Raghawendra Naryan Singh J.M. Ist class, Danapur in connection with Complaint Case No.203 (C) of 2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when



required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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