

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51723 of 2018

Arising Out of PS. Case No.-311 Year-2017 Thana- DANAPUR District- Patna

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Santosh Kumar Singh @ Santosh Mahto S/o Manohar Prasad Singh, R/o
Vill.- Bibiganj Maida Toli, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Danapur P.S. Case No. 311 of 2017 registered
for the offences punishable under Sections 341, 323, 406, 420,
504, 506 and 34 of the Indian Penal Code.

Informant has stated that he brought four kathas of
land in Rs. 80,11,000/- from the petitioner and other co-accused.
He alleged that after paying all the money to the petitioner and
co-accused persons when he along with accused persons went to
registration office to get the said land registered, he came to
know that under the orders of the court there was stay on the
sale of said land and thereafter informant demanded his money
back. Petitioner and other co-accused persons refused to returne



it.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has no knowledge of the order passed by the learned Sub-Judge, 3rd Danapur in Title Suit No. 38 of 2014. Petitioner has agreed to refund rupees 10 (ten) lacs to the informant, in six months.

In the facts and circumstances as stated above, petitioner is directed to be released on **provisional bail** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur in connection with Danapur P.S. Case No. 311 of 2017, and after refund of the rupees 10 (ten) lacs in six months the provisional bail shall be confirmed by the learned Court below itself, failing which the bail bond of the petitioner shall be cancelled. The payment made will be subject to decision/final outcome of case with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate 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 valid reason trial court shall have liberty to cancel his bail bond.

(3) If the 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.

Accordingly, this Criminal Miscellaneous stands disposed of.

(S. Kumar, J)

Rajiv/Manoj-

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