

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38689 of 2018

Arising Out of PS. Case No.-128 Year-2017 Thana- RUPASPUR District- Patna

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Bikram Choudhary Son of Rohan Choudhary Resident of Mohalla -
Saubhagya Sharma Path, P.S. - Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 24-08-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner, who is in custody, seeks bail in
connection with Rupaspur P.S. Case No. 128 of 2017 registered
for the offence punishable under Sections 406 and 420 of the
Indian Penal Code.

Informant in his written complaint has stated that
the petitioner took Rs. 24,50,000/- from him for execution of
sale deed of a land in his favour but neither the land was
registered in his favour nor the money was returned. Petitioner
cheated him and misappropriated the amount.

It has been submitted by learned counsel for the
petitioner that he is innocent and has been falsely implicated in



this case. It has been further submitted that the informant had taken Rs. 30 lacs from the petitioner on different dates to execute a sale deed of five kathas of land in his favour which will be evident from the agreement for execution of sale deed with respect to aforesaid land and the informant only to avoid the payment of Rs. 30,00,000/- to the petitioner, has filed the present case. It has been further submitted that dispute is of civil nature and no criminal offence is made out. petitioner has no criminal antecedent and he is in custody since 24.04.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,-II, Danapur, in connection Rupaspur P.S. Case No. 128 of 2017.

(S. Kumar, J)

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