

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31666 of 2018

Arising Out of PS.Case No. -554 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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1. Dinesh Kumar, S/o Late Anup Lal Rai, R/o- Godanpatti, Seniya, P.S.-
Gayghat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jay Narayan Chaudhary, S/o- Late Kishundeo Chaudhary, Resident of
Village+ P.O.- Abdulpur, P.S.- Sakara, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Muzaffarpur Complaint Case No.554 of 2016 and Tr. No.1101 of
2017 , registered for offences punishable under Sections 420, 467,
of the Indian Penal Code Section 138 of the N.I. Act.

Allegation against the petitioner as per FIR is that there was
an oral agreement between the complainant and the accused nos.1
and 2 sale of a piece of land and they assured that later on they
shall pay remaining Rs.14,24,000/- but that amount has not been
paid and the petitioner is a middle man in the present case.

Submission of the learned counsel for the petitioner is that
in this case he has no role as a matter of fact that he has given a



cheque of Rs.2,50,000/- with respect to purchase of some other land from the complainant and the complainant has not executed any sale deed and he has been made accused in the present case also.

Heard learned A.P.P. and the learned counsel for the complainant. According to them, the petitioner has worked as middle man in the present case and in conspiracy with the other accused persons he has duped Rs.14,24,000/-..

Having heard both sides and in view of the facts and circumstances, as stated above, 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 receipt of the 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 Sub Judge-VIII-cum-ACJM IV, Muzaffapur in connection with Complaint Cae No.554 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 direction, this application is allowed.

(Vinod Kumar Sinha, J)

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