IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25710 of 2018

Arising Out of PS.Case No. -108 Year- 2016 Thana -CHANPATIA District- WEST CHAMPARAN (BETTIAH)

==========

Jai Prakash Dubey, S/o Late Khobhari Dubey, Resident of Village-Vangaha, P.S.-Chanpatia, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Tuntun Dubey, Son of Madhusudan Dubey, R/o Vill.-Barohiya, P.S.-Chanpatia, District-West Champaran.

.... Opposite Party/s

==========

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the O.P. No. 2 : Mr. Sachida Nand Rai, Adv.

For the State : Mr. Umesh Lal Verma, APP

==========

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 28-06-2018 Heard the learned counsel for the petitioner, informant/opposite party No. 2 and the State.

The petitioner seeks bail in anticipation of his arrest in connection with Chanpatia P.S. Case No. 108 of 2016, dated 09.07.2016, instituted for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

It has been alleged by the informant/opposite

WEB COPY

party No. 2 that on the persuasion of the petitioner, who worked as a broker and is his relative and a neighbour, he agreed to purchase a plot of land belonging to one Sonu Rai, who is the brother-in-law of Milan Rai. Since the petitioner happens to be a friend of aforesaid Milan Rai, he participated in the negotiation. It was agreed upon between the parties that sale-deed would be executed on payments of Rs. 11,00,000/- and odd as consideration amount. Pursuant to the aforesaid agreement, an amount of Rs. 9,50,000/- was paid, but neither the sale-deed was executed nor the money was returned.

Learned counsel for the petitioner has, however, submitted that it appears to be rather surprising that the informant/opposite party No. 2 shall go by the advise of the petitioner when earlier to the agreement referred to in the F.I.R., the petitioner and his mother had filed cases against the informant/opposite party No. 2 and other members of his family.

Considering the vague nature of allegation, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction

WEB COPY

of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 108 of 2016 (Tr. No. 3241 of 2017).

(Ashutosh Kumar, J)

Praveen-II/-

U		T	

WEB COPY