

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12450 of 2019

Arising Out of PS. Case No.-433 Year-2018 Thana- ARA NAGAR District- Bhojpur

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MONU TIWARY @ ABHISEKH TIWARY, aged about 35 years, Male, Son
of Navdeet Tiwary @ Namdut Tiwary @ Nandut Tiwary R/o Mohalla -
Dharman Chawk, P.S- Ara Town, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 23-05-2019 Heard both sides.

The petitioner apprehends his arrest in Ara Town P.S.
Case No.433 of 2018 registered under Sections 406, 420 of the
Indian Penal Code and Section 138 of N.I.Act.

The informant in sum and substance alleged that
Santosh Yadav, Monu Tiwary(the petitioner), Ajit Choudhary
and Sonalal showed her a piece of land of Khata No.2, Khesra
No.399 and assured her to get the sale deed executed in her
favour. On such assurance, the informant gave Rs.7,50,000/- to
Santosh Yadav in presence of the petitioner. The informant also
paid Rs.1,16,000/- for purchasing stamp for registration of the
land. When Sonalal did not get the land transferred, Sonalal
handed over two cheques to the informant, one of Rs.4,00,000/-



and another of Rs.4,86,000/- which are bounced.

The learned counsel for the petitioner submits that of course the name of the petitioner figured in the case but the informant did not make any sorts of allegation against the petitioner. Petitioner did not receive any money of the informant nor assured the informant to get the land transferred from the owner of the land.

Learned counsel for the informant submits that petitioner did not receive the money but the petitioner was also persuaded the informant to purchase the land and to hand over the money to Sonalal.

Having considered the submissions of both sides, it appears that petitioner is of course named in the F.I.R. but petitioner neither received any money nor issued any cheque in favour of the informant.

Taking into consideration the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with



Ara Town P.S. Case No.433 of 2018, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Jha, J)

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