

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10047 of 2019

Arising Out of PS. Case No.-51 Year-2015 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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BRAHMDEO SAH, Son of Late Manjhi Sah, Resident of Village - Circus Compound, Ward No. 02, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar
2. Ajay Kumar, Son of Bisheshwar Prasad, Resident of Mohalla - Court Bazar, East from Ashirwad Hotel, Ward No. 16, P.S.- Sitamarhi, District- Sitamarhi.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complainat Case No. C-1-51 of 2015, corresponding to Trial No. 1994 of 2018, lodged for the offences punishable under Sections 420 and 468 of the Indian Penal Code.

Allegation against the petitioner is that he introduced the complainant with one Asharfi Mahto for purchase of land and Asharfi Mahto after taking consideration money executed sale deed but later on it transpired that there is no such land available at the spot and as such he apprehended that petitioner in collusion with others has cheated the complainant.

Submission of learned counsel for the petitioner is that after investigation police has submitted final form against the petitioner but cognizance has been taken against the petition on



protest and there is no allegation against the petitioner that he has taken money, rather he is only a witness to the deed of agreement.

Heard learned APP and learned counsel for the complainant, opposite party No.2, who has opposed the prayer for anticipatory bail of the petitioner on the ground that petitioner has introduced the complainant with Asharfi Mahto and as such he is instrumental in that.

Having heard both sides and in the facts and circumstances, let petitioner, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Sitamarhi, in connection with Trial No. 1994 of 2018, arising out of Complaint Case No. C1-51 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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