

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77818 of 2018

Arising Out of PS. Case No.-566 Year-2018 Thana- BHABHUA District- Bhabhua (Kaimur)

Munna Singh son of late Hari singh, Resident of Village - Parmalpur, Post
office - Khanethi, Police Station - Sonhan, Distt.- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Bhabua P.S. Case No. 566 of 2018 registered
for the offence punishable under Sections 420, 406, 467, 468,
120(B)/34 of the Indian Penal Code.

Informant has alleged that the petitioner took
advance of Rs. 5 lacs as a consideration amount for a land to be
sold assuring the said land to be free from all encumbrance, but
when she went on the land she found that it was already a sold
land and fraud was played upon her.

It has been submitted on behalf of the petitioner that
the nature of dispute is of civil nature and he himself has been
subjected to fraud by Kush Kumar Singh for which he has
already instituted criminal case against him. It has been further



submitted that subsequently sale deed has been executed in favour of informant as contained in Annexure-2 and she has been given possession over the sold land. Petitioner is in custody since 30.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Bhabua P.S. Case No. 566 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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