

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29387 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- BUXAR District- Buxar

Tej Narayan Pathak, Aged about 38 years, Male, Son of Ramashankar Pathak,
Resident of Village Malviya Colony Jaso, P.S.-Buxar (T), District Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-05-2019 Heard both sides.

Petitioner apprehends his arrest in Buxar (T) P.S. Case No.45 of 2019, registered under Sections 406, 420, 341, 323, 506, 379 and 120(B) of the Indian Penal Code.

The informant alleged that Rama Shankar Pathak, father of Tej Narayan Pathak, the petitioner agreed to purchase his Mahindra TUV 300 car bearing Registration No.BR01DD 1600 on payment of Rs.6,00,000/- and gave a cheque of Rs.4,80,000/- and Rs.1,00,000/- cash. The informant alleged that when the cheque was presented, the Manager of the Bank disclosed that the machine is not accepting the cheque. When the informant came out from the station, the miscreants also snatched Rs.1,00,000/- from his possession and also threatened to kill him. The vehicle has already been seized and kept in the police station.

Learned counsel for the petitioner submits that the informant lodged the present case on 17.01.2019 but prior to



institution of the present case, the petitioner filed Complaint Case No.834(c) of 2018 on 10.08.2018 on the basis of which Buxar Town P.S. Case No.460 of 2018 was registered. The petitioner alleged that Md. Azmal and Md. Haidar Khan mediated for selling the car standing in the name of Kaushlendra Kumar Lal. The petitioner also paid money but Md. Haidar Khan got the owner book of the car transferred in his own name. It is further submitted by the learned counsel for the petitioner that the car is lying in the police station. Even the cash of Rs.1,00,000/- given by the petitioner has not been returned.

Considering the facts aforesaid and nature of allegations made against the petitioner and the fact that there appears some dispute with regard to payment of price of the car, let 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 this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Buxar in connection with Buxar (T) P.S. Case No.45 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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