

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1327 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Ajay Kumar Sah Mahendra Prasad Sah Resident of Village-Khajanachi Hatt,
P.S.-Sahayak (K. Hatt), District-Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K.Agrawal, Sr.Advocate.

Mr.Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr.Sri Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-01-2019 Heard the parties.

Petitioner seeks pre-arrest bail in K.Hatt (Sahayak)

P.S.Case No.256 of 2018 registered under Sections 406, 420 of I.P.C.

Allegation as per the F.I.R. is that there was an agreement between the informant and Satya Narayan Yadav on 4.7.2014 on the advice of the petitioner and one Yaswardhan for purchase of a piece of land from Satya Narayan Yadav for which total consideration money a sum of Rs.70,00,000/- was to be given and the informant paid Rs.9,51,000/- by way of an advance in their presence. It is further alleged that Rs.18,00,000/- was transferred in the Account of the petitioner and Yasvardhan from Delhi by the informant. But later on the informant came to know that Satya Narayan Yadav was selling the same land to some other persons in presence of the petitioner. As such, they have cheated the informant.



Submission on behalf of the learned counsel for the petitioner is that the agreement was between the petitioner and the informant and Satya Narayan Yadav. And admittedly Satya Narayan Yadav has not received money which will appear from the F.I.R.. As such, Satya Narayan Yadav was instigated for sale of the land.

Heard the learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the learned court below within six weeks from today be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of C.J.M., Purnea, in K.Hatt (Sahayak) P.S.Case No.256 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C. and further condition that the bailors must be of local having sufficient movable and immovable properties within the jurisdiction of the court concerned and he will cooperate in the investigation of the case.

(Vinod Kumar Sinha, J)

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