

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39383 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- JAMOBABAZAR District- Siwan

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1. KANCHAN RAM Son of Charitar Ram Resident of Village - Meghwar, P.S.- Jamo Bazar, District - Siwan.
 2. Ajamullah @ Ajamullah Mian Son of Late Hazrat Mian Resident of Village - Meghwar, P.S.- Jamo Bazar, District - Siwan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gena Manjhi Son of Late Sahor Manjhi Resident of Village - Meghwar, P.S.- Jamo Bazar, District - Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 11-09-2019 Petitioners seek bail in anticipation of their arrest in connection with Jamo Bazar P.S. Case No. 197 of 2018 registered for the offences punishable under Sections 120B, 420, 467, 468, 471, 406 and 384/34 of the Indian Penal Code.

Allegation as per FIR is that petitioner No.1 got the land of the informant sold to petitioner No.2 and Rs.6 lac has been transferred to the account of petitioner No.1 but he has not handed over the same to the informant and Rs.2.5 lac is also due against petitioner No.2. There is also allegation of extortion against petitioner No.1.

Submission of learned counsel for the petitioners is



that as per direction of a co-ordinate Bench of this Court has brought on record the account statement of Bank of Baroda of petitioner No.1, which is Annexure-3 to the supplementary affidavit in order to show that no deposit of Rs.6 lac was made in the account of petitioner No.1 and for the rest amount of Rs.1 lac he is ready to deposit the same.

Notice was issued to opposite party No.2, who has received the notice but none appears on his behalf.

Heard learned APP also.

In view of above facts and circumstances, the provisional bail granted to petitioner No.1 by order dated 8.7.2019 is confirmed. So far petitioner No.2 is concerned, he should surrender within two weeks from the receipt of this order along with a Bank Draft of Rs.1 lac in favour of opposite party No.2 and on deposit of the same he shall 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 the Additional Chief Judicial Magistrate-XIII, Siwan, in connection with Jamo Bazar P.S. Case No. 197 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient



immoveable property within the jurisdiction of the court concerned. It is made clear that if any application is filed by opposite party No.2 for withdrawal of the above amount of Rs.1 lac learned court below shall release the same in favour of opposite party No.2 on filing an undertaking that he will abide by the final outcome of the case.

(Vinod Kumar Sinha, J)

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