

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40199 of 2019

Arising Out of PS. Case No.-2985 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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AJAY KUMAR Son of Late Parmeshwar Sah Resident of Village - Jhapha
Udan, P.S.- Ahiyapur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kamleshwar Singh Son of Sri Mahendra Singh Resident of Village -
Sahbazpur near Durga Sthan, P.S.- Ahiyapur, Distt - Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 2985 of 2017, disclosing offences

under Sections 420, 467, 406, 468 and 471 of the Indian Penal

Code.

Allegation as per F.I.R. is that there was talk between

the complainant and the petitioner for sale of a piece of land on

a consideration amount of Rs. Fifteen Lakhs, out of which, the

complainant gave Rs. Ten Lakhs but the land in question was

not executed by the petitioner and even the money has not been

returned.

Submission of learned counsel for the petitioner is

that he has already return Rs. Ten Lakhs to the complainant in



Panchayati and the complainant is claiming the interest amount, for which, the present case has been filed.

Heard learned A.P.P. also as well as learned counsel for the complainant. Learned counsel for the complainant has accepted the factum of payment by the petitioner, however, he contended that only Rs. Nine Lakh has been paid and Rs. One Lakh and interest is still due with the petitioner.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Muzaffarpur, in connection with Complaint Case No. 2985 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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