

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39551 of 2019**

Arising Out of PS. Case No.-255 Year-2018 Thana- JAGDISHPUR District-
Bhojpur

=====

RAMENDRA YADAV, aged about 30 years, male, Son of Bhagwan Yadav
Resident of Village- Jagdishpur, Police Station- Jagdishpur, District-
Bhojpur.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Ganpat Singh Son of Late Kamta Singh Resident of Village- Khairahi,
Police Station- Agiaon Bazar, District- Bhojpur.

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Rama Kant Singh, Advocate.
For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 23-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 406, 420, 467, 468 of the Indian Penal
Code registered in connection with Jagdishpur P.S. Case No. 255
of 2018.

3. It is submitted that the petitioner has been falsely
implicated in a complaint-based F.I.R. on the accusations of
having received part consideration money amounting to
Rs. 8,08,000/- for sale of his land but on demand being made by
the complainant, neither the land was registered in his favour nor
the money refunded. It is submitted that as a matter of fact the
entire amount received by the petitioner has already been
refunded to the complainant. In any event the dispute between
the parties is at best one of civil nature. The petitioner claims
clean antecedents.



4. Learned counsel for the complainant/informant appears and opposes the petition, submitting that the petitioner had signed a written agreement for sale of land but has resiled from his promise.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Bhojpur, Ara in connection with Jagdishpur P.S. Case No. 255 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Ibrar//-

U		T	
---	--	---	--

