

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52864 of 2019

Arising Out of PS. Case No.-120 Year-2018 Thana- BETTIAH CITY District- West
Champanan

Abhay Mishra @ Tuntun Mishra, S/o Late Govinddeo Mishra Resident of
Village- Baudh Tola Lachhnauta, P.S.- Sathi, District- West Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bettiah Town P.S. Case no. 120 of 2018, registered under
Section 406 and 420 of the Indian Penal Code.

The accusation is that informant Amar Nath Jha
was accompanied by Abhay Mishra @ Tuntun Mishra
(Petitioner) from Rameshwar Halt Station at the house of his
friend Madan Singh as the informant wanted to purchase the
land and informant was show 11 katha land of Plot No. 2536 of
Khata No. 234 and the consideration was disclosed Rs. Six
Lakhs. On the instruction of the petitioner, the informant gave
Rs. One lakh, as advance, to Madan Singh and Rs. 97,000/-
gave in registry office. Madan Singh changed his mind and said
that he will sell only 04 Katha and 10 dhur. On 24.02.2015,
Urmila Devi, wife of Madan Singh and her two sons, namely,



Chunu Singh and Munna Singh took Rs. 2,10,000/- in registry office. Thereafter, after taking remaining amount sale deed was executed. When the informant got sale-deed after 20 days then he found Khata Khesra and boundary was changed in said sale deed.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner only introduced the Madan Singh to the informant and petitioner had not taken any payment in course of negotiation of the purchasing the land, but with ulterior motive, the petitioner has also been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 120 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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