

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51006 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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BINAY KUMAR BAGI @ BINAY KUMAR BAGHI (M), aged about 48
years, Son of Krishna Ram, resident of Village- Jagjeevan Nagar, Ward no.27,
P.S.-Bettiah Town, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Bettiah (T) P.S. Case No. 197 of 2019,
registered for the offence under Sections 420 and 406 of the
Indian Penal Code and under Section 138 of the N.I. Act.

Allegation has been made that the informant had
given an advance of Rs.3,00,000/- to one Satyanarayan Raut in
presence of witnesses pursuant to agreement for sale to purchase
of a piece of land in a consideration amount of Rs.19,50,000/-.
After some time, the informant gave Rs.3,50,000/- on different
dates to said Satyanarayn Raut and other accused persons, but
when the informant requested them to take rest of the amount



and execute the sale deed, the accused persons demanded more money as extortion for execution of sale deed.

Learned counsel for the petitioner submits that the petitioner is only a witness to the negotiation and admitted amount has already been given to the informant. He further submits that accused Satyanaran Raut and others have been granted anticipatory bail by this Court in Criminal Miscellaneous No.46586 of 2019.

Looking to the entire facts and circumstances of the case, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah (T) P.S. Case no. 197 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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