

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51938 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

SHYAM SUNDAR PANJIYARA, aged about 65 years (M), Son of Late Mahabir Panjiyara, Resident of Village- Jagdishpur, Ward No.1, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dilip Kumar, Advocate.

For the Opposite Party : Mr.Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-08-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 23.06.2019 in a case for the offence registered under Sections 419 and 420 of the IPC.

The prosecution story, in brief, is that the informant entered into an agreement to purchase 18 ½ Kathas land by paying Rs. 1,51,000/- to Shyam Sundar Panjiyara (petitioner) and his sons Kumar Shishir @ Bittu, Kumar Saurav @ Mittu on 21.10.2016 but till date no registered deed has been executed nor the land has been given. It is also alleged that they were ready for getting the land registered but even thereafter Kumar Saurav and Kumar Shishir took Rs. 50,000/- the period was



extended for an year but even thereafter they did not agree for measurement of the land nor for execution of sale deed. It is also alleged that during conversation, the petitioner Shyam Sundar Panjiyara said to pay his son Rs. 50,000/- and he will extend the time limit for one year.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The matter relates to a civil dispute. Other co-accused Kumar Shishir @ Bittu has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 38208 of 2019 under order dated 27.06.2019 with a condition that he shall refund Rs. 1,00,000/-(Rupees One Lac) only to the informant. Co-accused Kumar Shishir @ Bittu in compliance to the order dated 27.06.2019 passed in Cr. Misc. No. 38208 of 2019 has already refunded the aforesaid amount of Rs. 1,00,000/- to the informant. A statement to that effect has been made in paragraph no. 8 of the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur, in connection with Jagdishpur P.S. Case No. 90 of 2019.

(Sudhir Singh, J)

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