

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62909 of 2019

Arising Out of PS. Case No.-334 Year-2017 Thana- MADHUBAN District- East Champaran

SHAILENDRA KUMAR PANDEY Son of Sri Chandra Shekhar Pandey @
Chandra Kishore Pandey Resident of Village - Bishanpur Tara Pandey Tola,
P.S.- Madhuban, dist.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Madhuban P.S. Case No. 334 of 2017 for the offenses under
Sections 406, 420, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
allegation against the petitioner in the instant case is that his
bank account was used for the purpose of transaction in relation
to transfer of land. The petitioner is not the person with whom
the informant has entered into any kind of transaction. Learned
counsel for the petitioner further submits that instant criminal
case is itself abuse of the process as remedy is available under



civil frame work.

The submission of the learned counsel for the informant that the petitioner has played key role in the transaction therefore, he does not deserve bail is totally misconceived.

Considering the fact that the petitioner is not the person who has entered into any kind of understanding for transfer of land, the Court is inclined to grant bail to the petitioner. Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, East Champaran, Motihari, in connection with Madhuban P.S. Case No. 334 of 2017.

(Anil Kumar Upadhyay, J)

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