

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60010 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- MAJHAULIA District- West Champaran

1. VIRENDRA KUMAR Son of Parbhu Das Resident of Village - Parsa, P.S.- Majhwaliya, District - West Champaran, presently residing at Village - Patkhawliya, P.S.- Majhwaliya, District - West Champaran.
2. Parbhu Das Son of Late Ramashish Das Resident of Village - Parsa, P.S.- Majhwaliya, District - West Champaran, presently residing at Village - Patkhawliya, P.S.- Majhwaliya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khatim Reza

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 19-12-2019 This application, for grant of anticipatory bail, arises out of Majhwaliya P.S. Case No. 79 of 2019, disclosing offences under Sections 406, 420, 504 and 506 of the Indian Penal Code.

Allegation as per F.I.R. is that informant has paid Rs. 3.75 Lakhs through bank transfer and Rs. One lakh in cash to the petitioners for purchase of a piece of land but the petitioners neither executed sale deed nor returned the money.

Submission of learned counsel for the petitioners is that entire allegation is false and concocted and as a matter of fact that it is the informant, who has earlier taken Rs. Six Lakhs from the petitioners for giving them employment in ordinance factory but the same was not done and the aforesaid amount was given by the petitioners through bank, which will appear from annexure -3 series



and later on a case has also been filed on 09.03.2019 and only in order to save his skin, the informant has come out with this false case.

Heard learned A.P.P. also. In this case notice was issued to the informant and though the acknowledgment has not been received, postal tracking report disclosed that the item has been delivered and, thereafter, this case has been placed under the heading “For Admission”.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Majhwaliya P.S. Case No. 79 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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