

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64486 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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GHUGHALI RAM Son of Pahari Ram Resident of Village - Paikwaliya, P.S.-
Semra, Distt - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Harilal Uraon Son of Late Triveni Uraon Resident of Village - Paikwaliya,
P.S.- Semra, Distt - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Gulnar Begum

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

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 26 of 2019, registered under Sections
323, 406, 420 and 504 of the Indian Penal Code.

The accusation is that while complainant, Harilal
Uraon, was unemployed and wanted to run the poultry farm but
due to lack of experience, he could not start the poultry farm. In
the meantime, petitioner, Ghughali Ram approached the
informant for starting the poultry farm, if the land is provided by
him. Thereafter, informant provided the land and expended
money of Rs.1,50,000/-. Thereafter, poultry farm was started



and in first time, chicken worth of Rs.1,08,000/- was sold by the petitioner but the petitioner did not give the share of the complainant on assurance that he will improve the business of poultry farm. Thereafter, in between 2016 to 2018, petitioner sold chicken worth of Rs.10,55,000/- but in spite of much request, the share of the complainant was not given and thereafter, Panchayati was arranged, in which, petitioner admitted to give the share of the complainant but later on, he did not take any heed to pay his share.

Learned counsel for the petitioner submits that, in fact, under the agreement in between the petitioner and the complainant, poultry farm was started over the land of complainant for 50% profit but complainant sold several times chicken and kept the money and in spite of much request, the share of petitioner was not given and Panchayati was also arranged on 13.10.2018 then in Gram Kachari, complainant started to abuse, regarding which, an application was given by the Gram Kachari to the Police Station, Samra, District- West Champaran, but only to give undue pressure, the present case has been lodged with false allegation.

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 six 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 Learned J.M. Ist Class, Bagaha, West Champaran, in connection with Complaint Case No. 26 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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