

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69533 of 2019

Arising Out of PS. Case No.-37 Year-2016 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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RAJARAM THAKUR Son of Late Mahendra Thakur Resident of Mohalla-
Naya Tola, Sundarpur, Parmeshwar Chowk, Bela Durga Mandir Ke Pass,
Ward No.04, P.S.-L.N.M.U, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-11-2019 Petitioner seeks bail in anticipation of his arrest in

connection with L.N.M.U (V.V.) Darbhanga P.S. Case No. 37 of

2016 registered for the offences punishable under Sections 406,

420 and 34 of the Indian Penal Code.

As per FIR petitioner is said to be a broker of the land
and on his assurance the informant has paid Rs.3.50 lac to him
for execution of sale deed but later on informant came to know
that the land was already sold to someone and petitioner is not
returning the amount.

Submission of learned counsel for the petitioner is
that he is only a broker and out of Rs.3.50 lac, Rs.1 lac was
given by cheque, which on production bounced and he has taken
only Rs.2.50 lac from the informant which he has given to the



landlord and he is still ready to get the sale deed executed in favour of informant.

Heard learned APP and perused the impugned order, from which it appears that a direction was given to the petitioner to return the amount and he undertook the same but he failed to do so.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, if petitioner surrenders and is ready to deposit the amount of Rs.2.50 lac, even in instalment, the court below while considering regular bail application of the petitioner shall consider the aforesaid aspect of the matter.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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