

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.74836 of 2019**

Arising Out of PS. Case No.-1706 Year-2015 Thana- BHAGALPUR COMPLAINT CASE  
District- Bhagalpur

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Girdhari Mandal Son of Late Sakhichan @ Sachhidanand Mandal Resident of  
Joharchak Singhnan, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Amjad Ali Son of Md. Chand Kausar Resident of Badare Aalampur,  
Karori Bazar, P.S.- Habibpur, District- Bhagalpur.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dilip Kumar  
For the Opposite Party/s : Mr. Satyavrat Verma

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

2      11-12-2019                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

Petitioner seeks in connection with Complaint Case  
No. 1706 of 2015 registered for the offence punishable under  
Sections 120(B), 341, 323, 307, 420, 406, 504, 506/34 of the  
Indian Penal Code, Sections 25(1-B)a and 27(2) of Arms Act.

Petitioner and two other named accused persons are  
said to have taken Rs. 50,000/- as advanced, and subsequently,  
Rs. 5,81,000/- and entered into agreement to sale out the land to  
the complainant but, they did not execute the land, and on  
giving legal notice and demanding back his money, the  
petitioner along with other accused persons extended



threatening of dire consequence and thrashing the complainant made him to leave the house.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. It is a case of civil nature. Petitioner has already given Rs. 50,000/- to the complainant and is ready to give Rs. 5,81,000/- in six equal monthly installments. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and has been languishing in custody since 17.12.2018, hence, he may be enlarged on bail.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on **provisional bail**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIII, Bhagalpur in connection with Complaint Case No. 1706 of 2015 with condition that:

(I) The petitioner shall make payment of Rs. 5,81,000/- to the complainant in six equal installments of one month each. The first installment will commence from 1<sup>st</sup> of January,



2020 and in case of failure of the payment of money in the aforesaid terms and condition, the learned court below shall be at liberty to cancel the bail bond of the petitioner. However, learned court below shall confirm the provisional bail of the petitioner on payment of entire money to the complainant.

Accordingly, this application is disposed of.

**(Prakash Chandra Jaiswal, J)**

rohit/-

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