

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84888 of 2019

Arising Out of PS. Case No.-544 Year-2018 Thana- COMPLAINT CASE District- Lakhisarai

Mukesh Sao, Son of Late Jamuna Sao, Resident of Village - Chamruchak,
Salempur, P.S.- Suryagarha, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baleshwar Mahto, Son of Prasadi Mahto, Resident of Village - Konepar,
P.S.- Manikpur (Suryagarha), Distt.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-12-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 544C of 2018 disclosing offences under Sections 403, 420, 323, 504, 34 of the IPC.

As per complaint case, the complainant had shown some lands to the petitioner and asked him to arrange Rs.10 lakhs and search of person, who can purchase the land. Further allegation is that complainant came and told him that a talk of Rs.5 lakhs has to be given as advance. When the petitioner demanded Rs.5 lakhs from the complainant, on that, he has given one lakh. Further allegation is that petitioner collected Rs. 10 lakhs from one Sanjay Kumar and he has given three cheques, but when they gone to get the cheque encashed, two



cheques were returned as it has been told that payment has been stopped by the petitioner. There are also similar other allegation against the petitioner.

Submission of the learned counsel for the petitioner is that complaint case itself shows that the payment has been made by some other persons and not by the complainant, but they have not come forward to lodge the case and the present case has been lodged with an intention to pressurize the petitioner to pay some amount to the complainant, moreover case clearly appears to be a case in the nature of civil dispute.

Heard learned A.P.P. also.

Having heard both sides, considering the above submissions, this application is allowed. Let the petitioner, above named, surrender before the court below within a period of three weeks from the date of certified copy of this order, on surrender, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned C.J.M., Lakhisarai, in connection with Complaint Case No. 544C of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition to co-operate in disposal of the trial and appear as and when required, otherwise,



his bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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