

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9473 of 2020

Arising Out of PS. Case No.-279 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Rajesh Kumar, S/o Umesh Kumar, Resident of Village- Purani Gudari, Ward
No.10, Near Madarsa School, P.S.- Kalibag O.P. (Bettiah Town), Distt- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Umesh Lal Verma

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

ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Bettiah
Town (Kalibag O.P.) P.S. Case No. 279 of 2019, registered
under Sections 420, 467, 468, 471 and 120B of the Indian Penal
Code and Section 138 of the N.I. Act.

The accusation is that informant, Shyam Kumar Rai
and his brother, Ram Kumar Rai was in need of land in Town
Bettiah and in that connection, they came in touch with Rajesh
Kumar (petitioner) and Sarvesh Kumar Pandey, who were ready
to sell the land of 32 dhoor of Plot No. 527, Khata No. 218 and
the rate was fixed as Rs.62,000/- per dhoor. Accordingly,



Rs.3,00,000/- was given in cash and Rs.4,10,000/- was transferred in the account of the petitioner but the sale deed was not executed in time. Later on, informant came to know that the aforesaid land was not belonging to the petitioner and Sarvesh Kumar Pandey.

Learned counsel for the petitioner submits that, in fact, negotiation was made with the informant and his brother for selling the land and Rs.4,10,000/- was transferred in the account of the petitioner but due to some reason, informant was not ready to purchase the said land, while petitioner is ready to return the aforesaid amount of Rs.4,10,000/- to the informant in eight installments within eight months.

Learned counsel for the informant has no objection in allowing the bail of the petitioner.

Having regard to the facts and the circumstances of the case and in view of the fact that the petitioner undertakes to return the aforesaid amount of Rs.4,10,000/- in eight monthly installments, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, in connection with Bettiah Town (Kalibag O.P.) P.S. Case No. 279



of 2019.

It is made clear that if the aforesaid amount of Rs.4,10,000/- is not paid by the petitioner in eight monthly installments, the trial court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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