

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20600 of 2020

Arising Out of PS. Case No.-20 Year-2016 Thana- KHAJANCHI HAT District- Purnia

BIJAY SAH @ AJAY SAH @ AJAY KUMAR, aged about 30 years, Male,
Son of Bandelal Sah @ Bande Lal Sharma, Resident of Sepahi Tola,
Chunopur Road, P.S.- K. Hat, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Prasad Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-06-2020 Heard learned counsel for the petitioner and Mr. Uma Shankar Prasad Singh, the learned Additional P.P. through video conferencing.

The petitioner seeks bail in K. Hat P.S. Case No.20 of 2016, registered under Sections 406, 420, 467, 468 and 34 of the Indian Penal Code.

The informant in sum and substance alleged that he intended to purchase a piece of land in Purnea town. He talked to Md. Nurul Khan and Md. Kamrul Hasan, both sons of Late Badrul Hussain who assured him to get the land of Ramchandra Sah executed in his name. The informant further alleged that Md. Nurul Khan asked him to come to his house on 12.03.2014. When the informant went to the house of Nurul Khan situated in mohalla Oli Tola, Vijay Sah @ Ajay Sah, Deepak Kumar @ Lappu and Kamrul Hasan were sitting there. They took Rs.13,65,000/- and asked the informant to come on 14.03.2014 for execution of the sale deed. One Ramchandra Sah executed



the sale deed. Vijay Sah @ Ajay Sah, the petitioner, is said to have identified the vendor, Ramchandra Sah but when the informant went over the land to construct boundary, another Ramchandra Sah came and did not allow him to construct the boundary.

Learned counsel for the petitioner submits that the petitioner is absolutely innocent and he has no manner of concern. The petitioner did not receive any farthing from the informant. The petitioner is only a witness of the sale deed. It is submitted that the petitioner has no manner of concern and he did not identify the executor of the sale deed. The petitioner is in jail since 15.10.2019. The dispute appears to be of civil nature. The petitioner has remained in jail for more than 8 months.

Considering the facts aforesaid, petitioner, namely, Bijay Sah @ Ajay Sah @ Ajay Kumar is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with K. Hat P.S. Case No.20 of 2016.

(Prabhat Kumar Jha, J)

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