

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16262 of 2020

Arising Out of PS. Case No.-19 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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UMESHWAR PRASAD Son of Late Chandrika Prasad @ Chandrika Sao
Resident of Village - Jatdumari, P.S.- Punpun, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sibodh Bhagat @ Subodh Bhagat Son of Late Devnandan Bhagat Resident
of Village and P.O. - Jatdumari, P.S.- Punpun, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Giridhar Gopal Tiwary
For the Opposite Party/s : Mr.Md. Ataur Rahman

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-12-2021 Learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard the learned counsel for the petitioner and
learned APP for the State.

The petitioner apprehends his arrest for the offences
alleged under Sections 406 and 420 of the Indian Penal Code,
registered in connection with Complaint Case No. 19 (C) of
2018.

As per the allegation, the petitioner had received a
sum of Rs. 1,60,000/- for transfer his land in favour of the
complainant Sibodh Bhagat @ Subodh Bhagat, but he did not
execute the sale deed despite an agreement and despite receipt
of the money.

Learned counsel for the petitioner has submitted that
the entire money was refunded to the son of the complainant
and he has issued a receipt that Rs. 1,60,000/- was received by
the son of the informant. A xerox copy of the receipt has been



annexed at page 21, which shows that Navlesh Kumar, son of Umeshwar Prasad, the present petitioner, has received Rs. 80,000/- on 9th October, 2017 and Rs. 80,000/- on 23.02.2018.

Considering the above-mentioned facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Masaurhi, Patna in connection with Complaint Case No.19 (C) of 2018, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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