

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34970 of 2020

Arising Out of PS. Case No.-460 Year-2019 Thana- DIGHA District- Patna

RAJU KUMAR SINGH Son of Rambali Singh, Resident of Village - Ramjee Chak, Bataganj, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Singh, Adv.
For the State	:	Mr. Ram Sewak Choudhary, APP
For the Informant	:	Mr. Kamlesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-03-2021 Heard learned counsel for the petitioner, learned APP
and learned counsel for the informant.

The petitioner apprehends his arrest in Digha P.S.
Case No.460 of 2019 registered under Sections 406, 420, 506
and 34 of the Indian Penal Code.

The informant alleged that he entered into an
agreement with the petitioner and Ravi Kumar Singh to
purchase a piece of land of plot no.3802, tauzi no.5130, khata
no.710 area 4 katha 5 dhur and handed over Rs.18, 20,000/- to
the petitioner Raju Kumar Singh (petitioner), Ravi Kumar Singh
and on behalf of Raj Ballabh Singh, his wife received money
but later on the informant came to know that Raju Kumar Singh
and Raj Ballabh Singh had already sold the land before entering



into an agreement with the informant and even on demand, the petitioner and two others did not return money.

Learned counsel for the petitioner at the first instance submits that the petitioner is a witness to the agreement for sale. Later on, he submits that the petitioner also executed the agreement. It is further submitted that the petitioner is ready to return the amount taken by him. Petitioner has got 1/4th share in the land.

Learned counsel for the informant submits that the informant is ready to receive money, if the same is paid with interest.

Taking into consideration the facts aforesaid and the fact that the petitioner is ready to repay the amount i.e. Rs.4,60,000/- through bank draft to the informant with 6% simple interest thereon from the date of execution of the agreement i.e. 06.01.2014 within six weeks, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned S.D.J.M., Patna in connection with



Digha P.S. Case No.460 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

If the petitioner fails to repay the amount i.e. Rs.4,60,000/- through draft with 6% simple interest thereon from the date of agreement to the informant within six weeks, the learned court below shall cancel the bail bond of the petitioner thereafter.

(Prabhat Kumar Jha, J)

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