

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30011 of 2020**

Arising Out of PS. Case No.-816 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Santosh Kumar Chaudhary, aged about 34 years, Male, S/o Suresh Chaudhary, Resident of Village-Manshurpur Chamaruya, Police Station-Karja, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr.A.G

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 27-01-2021 Learned counsel for the petitioner is permitted to
remove the defect within four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sadar P.S. Case No. 816 of 2019 registered for the offences
punishable under Sections 406, 420, 465, 466 and 120(B) of the
Indian Penal Code.

The prosecution case in short is that the informant is a
retired teacher and he was searching a plot for his daughter.
Accused No.1, Pankaj Kumar Singh is a land broker and well
known to the informant since long. Pankaj Kumar Singh
(Accused No.1) knew the requirement of the informant and he



contacted to the informant and said about the joint land of the petitioner and one Amarnath Jha (Joint Purchaser) and he also produced photocopy of sale deed before the informant and at last on 06.04.2019, informant and broker Pankaj Kumar Singh (Accused No.1) entered into an agreement and deal was fixed for five katthas of land at the rate of 9 Lakh/ Katha and it is also disclosed that the land would be transferred till 19.06.2019. On the basis of agreement, the informant paid Rs.32,50,000/- to the accused broker Pankaj Kumar Singh. He further alleged that the petitioner also used to come with Pankaj Kumar Singh (Accused No.1).

Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in the present case. He further submits that the offence made out against the petitioner is of civil in nature. He further submits that it is admitted fact that the informant has given Rs.5 lakh to the petitioner. Learned counsel for the petitioner further submits that the petitioner is ready to return Rs.5,00,000/- to the informant.

In that view of the matter, petitioner is ready to pay Rs. 2,00,000/- (Rupees Two Lakh) to the informant by Bank Draft at the time of furnishing bail bond and the rest amount of



Rs.3,00,000/- will be paid within three months. If the amount as undertaken by the petitioner is not paid within the stipulated period as aforesaid, the bail bond of the petitioner shall be cancelled by the learned court below.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Case No. 816 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Nasimul/-

U		T	
---	--	---	--

