

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12594 of 2021

Arising Out of PS. Case No.-148 Year-2020 Thana- TATARPUR District- Bhagalpur

MITHLESH RAJAK Son of Late Ram Prasad Rajak Resident of Sahebganj,
Bind Toli, P.S.-Lalmatia, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Singh
For the Opposite Party/s : Mr.Nityanand

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

ORAL ORDER

2 06-01-2022 Heard the learned counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner apprehends his arrest for the offences alleged under Sections 406 and 420/120(B) of the Indian Penal Code, registered in connection with Tatarpur (Univerity) P.S.Case No. 148 of 2020.

As per the allegation, the informant had entered into an agreement for purchase of a piece of land from Rabindra Rajak @ Ravi Rajak, the brother of the petitioner. The allegation is that despite receipt of consideration money, the co-accused Rabindra Rajak @ Ravi Rajak did not execute the sale deed. The present petitioner is the brother of the co-accused Rabindra Rajak @ Ravi Rajak and allegation against him is that when the informant went to demand his money at the house of Rabindra Rajak @ Ravi Rajak, the present petitioner and his brother Rabindra Rajak @ Ravi Rajak demanded Rs. 25,00,000/- for execution of the sale deed.

The learned counsel for the petitioner has submitted that the present petitioner was not a party to the agreement in question, nor he has received money from the informant. Mere allegation against him is that he had demanded Rs. 25,00,000/- as consideration money for execution of the sale deed. The



present petitioner is not authorized to execute the sale deed since the land did not belong to him.

Considering the above 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 A.C.J.M.-7th, Bhagalpur in connection with Tatarpur P.S.Case No.148 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

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

(Nawneet Kumar Pandey, J)

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