

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9972 of 2022

Arising Out of PS. Case No.-137 Year-2018 Thana- MALSALAMI District- Patna

RAJ KUMAR MAHTO S/o Laxman Mahto Resident of Purbi Nand Gola
(Near Nagar Tola Baba Mandir), P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Mohan Tripathi
For the Opposite Party/s : Mr.Satya Nand Shukla

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

ORAL ORDER

2 13-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Malsalami P.S. Case No. 137 of 2018 registered for offence
punishable under sections 419, 420 and 406 of the Indian Penal
Code.

As per allegation, the partition had taken place between
the husband of the informant and the petitioner. The petitioner
had to pay Rs. 32,00,000/- in exchange of business of *Dalmot*
to her husband, but the petitioner did not pay that amount and



due to shock, her husband died.

The learned counsel for the petitioner has submitted that the entire allegation is false. He has submitted further that an agreement had taken place between the petitioner and the husband of the informant, which is Annexure-2. Both the parties to the agreement agreed that Rs. 28,51,000/- to be paid to the husband of the informant. That amount was received by the husband of the informant and he issued receipt thereof, which is annexed with the record.

It appears to be a matter of civil nature. The receipt annexed with the record shows that the husband of the informant had received Rs. 28,51,000/- in lieu of his share in the factory of *Dalmot*.

Considering the above-mentioned facts and circumstances and also considering the clean antecedent of the petitioner, let him, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City in connection with Malsalami P.S. Case No. 137 of 2018, subject to condition 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 mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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