

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33862 of 2021

Arising Out of PS. Case No.-267 Year-2019 Thana- KATIHAR NAGAR District- Katihar

RAJENDRA PRASAD SAH Son of Jitendra Sah Resident of Village - Bara
bazar, Naya Tola, Ward No.34, P.S.- Katihar Nagar, Distt.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in Katihar Town
P.S. Case No. 267 of 2019 registered under Sections 406, 420 &
120(B) of the Indian Penal Code.

Prosecution case in short is that the informant gave Rs. 4.5
lakhs to the petitioner for giving him a shop but after taking the
money, the petitioner did not give the shop to him.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. The case has been instituted under Section 156(3) of the Cr.P.C. There was a money transaction between the parties. The matter relates to settlement of accounts. From perusal of Annexure-2, it is evident that the money, in question has already been returned to the informant. The matter relates to civil dispute.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 267 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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