

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34735 of 2021

Arising Out of PS. Case No.-464 Year-2020 Thana- GARDANIBAG District- Patna

ABHAY KUMAR RAI Son of Ram Ashish Rai Resident of Gujuru, P.S.-
Kachhwa, District - Rohtash, At present resident of Ram Nagar, P.S.- Nawada,
District - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, 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 Gardanibagh P.S.
Case No. 464 of 2020 registered under Sections 406 & 420 of the
Indian Penal Code.

Prosecution case in brief is that the informant gave Rs. 10.5
lakhs through cheque and two lakhs cash to the petitioner for
purchasing the land of Sachidanand Rai and Sheshnath Sharma. After
receiving the amount, the petitioner refused to execute the agreement.

It has been submitted on behalf of the petitioner that there is no
allegation of tampering of witnesses alleged against the petitioner.



The petitioner has been falsely implicated in the present case. As per the informant, he gave an amount of Rs. 10,50,000/- (ten lakhs and fifty thousand) through cheque and two lakhs by way of cash to the petitioner for purchasing a piece of land. On behalf of the petitioner it has been submitted that there are four sale deeds which were executed in favour of son of the informant against the aforesaid consideration of money. 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-XIV, Patna in connection with Gardanibagh P.S. Case No. 464 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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