

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8161 of 2023**

Arising Out of PS. Case No.-266 Year-2022 Thana- BAKHARI District- Begusarai

Kundan Kumar, Son of Ramnath Sah @ RamNath Sawarnkar, R/v- Salauna,
P.S.- Bakhri, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 12-05-2023 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 406, 420/34 of the
Indian Penal Code.

Petitioner is alleged to have received Rs. 17 lacs from
the informant for selling a piece of land and thereafter, he
neither executed the sale deed in favour of the informant nor
returned the said amount. It is further alleged that this petitioner
also delivered duplicate jewellery to the informant.

Learned counsel appearing for the petitioner submits
that there is tenant-landlord relationship between the parties.
Petitioner is a tenant and runs a jewellery shop on the land of
the informant. It is next submitted that one day, informant



suddenly asked the petitioner to vacate the rental shop of the informant and when petitioner denied to do the same immediately, this false and concocted case has been lodged against him. Besides, there is no chit of paper on record to support the allegation of receiving such huge amount of Rs. 17 lacs from the petitioner and delivery of duplicate jewellery is also vague. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Bakhari P. S. Case No. 266 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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