

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5489 of 2024

Arising Out of PS. Case No.-645 Year-2020 Thana- MUNGER COMPLAINT CASE
District- Munger

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Jagdeo Das S/O Late Bideshi Das R/O Village- Dhankar Jijho Sabour, P.S- Sabour, Distt.- Bhagalpur, At Present- Rajaswa Karmchari, Posted At Manro Block, P.S- Mirza Chowki, Distt.- Sahebganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sarojani Devi W/O Pankaj Kumar @ Parmanand Paswan R/O Village- Dulhar, P.S- Asharganj, Distt.- Munger At Present Muhalla- Halasi, 6 Number Gate, Quarter No. 244, P.S- Jamalpur, Distt.- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Ambastha, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 645C/2020, instituted for the offence
punishable under Sections 323, 417, 406, 506/34 of the Indian
Penal Code.

3. The allegation against the petitioner, is that the
complainant agreed to purchase the land from petitioner and Rs.
13 lacs was paid to the petitioner by the complainant in different
installments. It is alleged that thereafter neither the money was
returned nor the sale deed was executed.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that complainant gave Rs. 13 lacs to the petitioner in different installments, who neither executed the sale deed nor returned the said amount. It is submitted that there is no documentary proof of payments but from perusal of trial court records it transpires that complainant has indeed given application to S.P. Munger and the case filed by accused Jagdeo Das bearing Mufassil P.S. Case No. 271 of 2019 dated 19.09.2019 was found false. Against that a protest petition has been filed which is pending for consideration. It is submitted that the witness as well as complainant has a solemn affirmation as stated that they don't have any documentary evidence of the payment of any money and even no dates of payment is stated or given in the complaint case. It is further submitted that the present case has been lodged by the complainant is after thought and contrived so on 24.09.2020 just to create a defense for her husband and her family members, who have cheated the petitioner in the name of job to be given to the son of the petitioner, which is still under inquiry. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of



the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Complaint Case No. 645C/2020, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Munger, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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