

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52976 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- JAMUI District- Jamui

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Ganesh Goshwami S/o Rambhajan Goswami R/o vill - Suggi, P.S. and Distt - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mala Sinha, Advocate

For the Opposite Party/s : Mr. Binod Kumar , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-08-2024 Heard learned counsel for the petitioner and the State .

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 406, 420, 467, 468 , 471 and 120 (B) of the Indian Penal Code .

3 . As per the prosecution case , it is alleged that this petitioner despite receiving consideration money from complainant refused to execute sale deed in favour of complainant and also refused to refund the alleged amount.

4. Learned counsel for the petitioner submits that from bare perusal of F.I.R., it is apparent that the entire money either in cash or cheque was given to co-accused Ranjeet Kumar and Vikash Kumar in their account i. e., Account No. 6714144870. Not a single penny was given to this petitioner. Petitioner is



neither party to the agreement nor he has signed on the agreement paper. Moreover, the dispute is with respect to sale and purchase of land between the parties which is civil in nature . Even if the allegations are accepted to be true, these petitioners cannot be said to have committed any offense of cheating or criminal breach of trust.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned Chief Judicial Magistrate Jamui in connection with Jamui P.S. case No. 106 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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