

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63810 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- MUFFASIL District- Aurangabad

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VIJAY SINGH SON OF LATE DASHRATH SINGH RESIDENT OF
VILLAGE- RAYPURA, PS- MUFFASIL, DIST- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 13-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. In compliance of the order dated 03.04.2024, notice was sent to the O.P. No.2 and the same was received by the brother of the O.P. No.2. By way of filing a jointness petition, it is stated that the brother of O.P. No.2 reside with the O.P. No.2, since it is a joint family.

3. Accordingly, notice is hereby deemed to be validly served upon the O.P. No.2 but nobody has entered appearance on his behalf.

4. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 406, 420/34 of the IPC.

5. As per the prosecution case, the informant alleges that an agreement was prepared for registry of a land, for which the



informant has paid Rs.6.5 Lakhs out of total consideration amount of Rs.11.25 Lakhs to the co-accused. It is alleged that the rest amount of Rs.4.7 Lakhs was given to the petitioner but neither the land has been registered in the name of the informant nor the consideration money was returned.

6. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to grudge. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The agreement was prepared by the co-accused and the amount was also alleged to be taken by him. Petitioner has not taken any money from the informant and the informant has not produced any documentary evidence to prove the same. Petitioner has no criminal antecedent.

7. Learned APP for the State opposed the prayer for bail.

8. Having regard to the facts and circumstances of the case, since there is civil/money dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in connection
with Muffasil P.S. Case No.16 of 2023, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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