

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77053 of 2023

Arising Out of PS. Case No.-118 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Brajesh Kumar S/O Ram Naresh Prasad Yadav @ Ram Naresh Prasad
Mohalla- Rajendranagar, Ward No. 29, Ps. Chitragupta Nagar, Dist. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Adv. Mr. Suraj Kumar Sinha, Adv. Mr. Ashok Kumar, Adv.
For the State	:	Mr. Atul Chandra, APP
For the Informant	:	Mr. Chandra Mohan Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the Informant.

2. The petitioner apprehends his arrest in connection
with Simari Bakhtiarpur P.S. Case No. 118 of 2023 registered
under Sections 406, 420, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that the informant
gave Rs. 21 lakh to the petitioner who is into buying and selling
of land. The petitioner promised to transfer the land in favour of
informant and kept his car as a security. After 40 days, the
informant gave the said vehicle in the police station On filing a
case against the petitioner, threats of kidnapping and murder



were being made, he was told that neither money would be given nor the land would be transferred.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is only a broker and has falsely been implicated in the present case. The first informant report has been lodged after a delay of one and a half months without reasonable explanation. Learned counsel further submits that this is a case of breach of agreement. Prior to this case, the petitioner filed a written information before S.H.O., Chitragupta Nagar, Khagaria stating that his vehicle and Rs. 5 lakh were snatched by informant (Annexure-2). The informant is brother of *Sarhu* of petitioner. The land in question has already been transferred to five persons in which one Raj Kumar Devi is mother-in-law of the informant.

5. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Simari Bakhtiarapur P.S.



Case No. 118 of 2023, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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