

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47467 of 2015

Arising Out of PS.Case No. -2137 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Afshar Alam @ Munna @ Afsar Alam Son of Late Tajuddin Alam @ Md. Tajuddin, Resident of Mohalla - Line Bazar, Police Station K. Hat (Sahayak), District - Purnea

.... Petitioner

Versus

1. The State of Bihar
2. Bibi Mahenaz Begum @ Methi, Daughter of Mazloom Hassan Ansari, Resident of village - Sonapur, P.S. Jalalpur, District - Purnea at Present resident at Mohalla - Madhopara, Azad Nagar, P.S. K. Hat, District - Purnea

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr. B.M.P.Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 30-10-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of regular bail arises out of Complaint Case No. 2137 of 2013, disclosing offences under Sections 406, 420, 120B and 376 of the Indian Penal Code.

The petitioner is in custody in the aforementioned Complaint Case since 07.08.2015. Allegation against him is that he, acting as a broker for transfer of land in favour of informant, had taken some amount but he failed to get the sale deed executed with respect to land measuring 1 ½ Katha. It is submitted on behalf of the petitioner that it is primarily a civil dispute. He

contends that no offence under Section 376 of the Indian Penal Code is made out against the petitioner.

Considering the submission and the facts and circumstances, this application is allowed.

Let the petitioner, above-named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea in connection with Complaint Case No. 2137 of 2013.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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