

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31141 of 2014

Arising Out of PS.Case No. -1501 Year- 2013 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

=====

1. Shiv Nandan Chauhan @ Botal Chauhan son of Badari Chauhan,
Resident of village- Sarsu, P.S. Atari, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. C.Jawahar (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 28-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 1501 of 2013 in which cognizance has been
taken under Section 406 of the Indian Penal Code.

Allegedly, the petitioner took rupees two lacs from
the complainant for the purpose of marriage of his daughter and
assured to return within six months and in failure to transfer his
land by way of registered sale deed but when the money was
demanded the petitioner abused and became ready to assault.

Submission is of false implication and that if there
is any agreement, then the remedy lies in Civil Court after

bringing suit for specific performance and not in the criminal side to which the learned counsel for the complainant opposed by submitting that the petitioner after taking the money is not returning.

As the remedy lies in civil suit, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rahul Kumar, J. M. Ist Class, Nawada in connection with Complaint Case No. 1501 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--