

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40116 of 2014

Arising Out of PS.Case No. -606 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

Amrendra Kumar Sharma, S/o Shri Awadhesh Sharma, Resident of Mohalla
- West Lohanipur, P.O. + P.S. - Kadamkuan, District - Patna

.... Petitioner

Versus

1. The State of Bihar
2. Jay Prakash, S/o Shri Rampani Singh, Resident of Village - Mainpura,
P.S. - Danapur, District - Patna

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava, Advocate

For the Opposite Party/s : Mr. Ram Sewak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 02-09-2015

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the opposite party
no. 2.

According to the prosecution case, the petitioner
represented to the complainant that he is power of attorney
holder from the landlord who had purchased the said land from
Abhilash Sao. He received a sum of Rs. 2,38,000/- from the
complainant, but failed to execute the deed of sale.

Learned counsel for the petitioner has contended that

the allegations made in the complaint are not true. As a matter of fact, the complainant paid the entire amount within the stipulated time as mentioned in the agreement as a result of which the sale deed was not executed. Moreover, the moment the complainant sent a legal notice to the petitioner, the petitioner expressed his willingness to return the amount paid to him.

On the other hand, learned counsel for the complainant has submitted that the petitioner has cheated the complainant by falsely representing himself to be the power of attorney holder.

Be that as it may, the provisional bail granted to the petitioner by this Court vide order dated 04.03.2015 in connection with Complaint Case No. 606/C of 2011 pending before the learned A.C.J.M., Danapur is hereby confirmed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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