

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13652 of 2015

Arising Out of PS.Case No. -716 Year- 2014 Thana -KOTWALI District- PATNA

Binod Kumar @ Binod Kumar Singh, Son of Late Ram Narayan Singh
resident of village- Ramjee Chak, P.S.- Digha, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sabal Kumar Jha, Advocate.

For the Opposite Party : Mr. Ram Shankar Das(Spl.App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner apprehends his arrest in Kotwali P.S.
Case No. 716 of 2014, registered for the offences punishable
under Sections 406 and 420 of the Indian Penal Code and Sections
3(x) of Scheduled Caste and Scheduled Tribe (Prevention of
Atrocities) Act.

The informant alleged that he entered into an
agreement to sale with Binod Kumar Singh, the petitioner for
purchasing a piece of land on consideration of Rs. 13,00,000/- and
the petitioner received Rs. 3,70,000/-, but the petitioner did not
execute the sale deed. The informant came to know that the land
was registered in the name of the wife of the petitioner.

Learned counsel for the petitioner submits that the petitioner is still ready to execute the sale deed after receiving the entire consideration money, but the informant himself is not willing to purchase the land.

Learned counsel for the informant has submitted that the land is not free from all encumbrances and, therefore, he is not willing to purchase the land.

Considering the facts aforesaid and the fact that the dispute is of civil nature, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 716 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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