

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55696 of 2015

Arising Out of PS.Case No. -1678 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Aftab Ahmad @ Aftab Alam S/o Late Ashfaqu Ahmad Resident of
Mohalla- Old Azimabad Colony P.S.- Sultanganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mumtaz Ahmed, S/o Nasibur Rahman at present resident of Mohalla-
Goriya Toli Station Road, P.O.- G.P.O., P.S.- Kotwali, District- Patna,
Permanent resident of Village- Mahnar, P.O.+P.S.- Mahnar, District-
Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan

For the Opposite Party/s : Mr. Binod Kr. 2(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 09-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case
in which process has been directed to be issued after cognizance
being taken for the offences punishable under Section 420 of the
Indian Penal Code.

The prosecution case is that the complainant purchased
certain land from Haridwar Upadhyaya. The petitioner was a
mediator who received one lac fifty thousand rupees. It is further
alleged that rupees three lacs were given for filling up earth and
putting boundary wall. The earth was filled but the boundary wall
was not constructed.

It is submitted by the learned counsel for the petitioner that there is no proof with regard to the payment to the petitioner. Obviously, the agreement was between the complainant and Haridwar Upadhyaya and the petitioner was simply a witness to the sale deed.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Patna in connection with Complaint Case No. 1678C of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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