

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7333 of 2016

Arising Out of PS.Case No. -8 Year- 2014 Thana -BIHRA District- SAHARSA

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Baidya Nath Sah S/o Late Rameshwar Sah, Resident of village-
Panchgachia, P.S.- Bihra, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406 and 120B/34 of the Indian Penal Code.

The prosecution case is that the petitioner and his wife took ₹3,75,000/- advance as consideration money for transfer of land being old Khata No. 261 and 255, old Khesra No. 955, 958, 938, 959 and 960, new Khata No. 607, 609, 600 and 610 measuring an area of nine khatas but neither the sale deed was executed nor money was returned.

It is submitted by learned counsel for the petitioner that sale deed with regard to the land has been executed in favour of the informant.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Saharsa in connection with Bihra P.S. Case No. 08 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on filing proof with regard to execution of sale deed in favour of the informant.

(Dinesh Kumar Singh, J)

Amrendra/-

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