

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8117 of 2016

Arising Out of PS.Case No. -667 Year- 2015 Thana -BIHTA District- PATNA

Arbind Kumar son of Late Nand Lal Rai Resident of Village- Chamantola,
Bihta, P.S.- Bihta, Dist- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Bihta P.S. Case No. 667 of 2015 registered for offences
punishable under Sections 406 and 420 of the Indian Penal Code.

The prosecution case, in brief, is that in drunken state,
husband of the informant executed sale deed for one katha in
favour of the petitioner, for which petitioner did not pay any
money.

It has been submitted by the learned counsel for the
petitioner that petitioner is innocent having no criminal history and
after receiving the consideration money, husband of the informant
had executed the sale deed in favour of the petitioner. He further

submits that all the witnesses, identifier in paragraph 19 and the sale deed witness in paragraph 20 of the case diary have supported that the sale deed was executed in favour of the petitioner after receiving consideration money and the independent witness in paragraph 21 of the case diary has also supported the aforesaid fact. He further submits that the matter relates to civil dispute.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the matter relates to civil dispute, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 667 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

Arjun/-

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