

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44389 of 2016

Arising Out of PS.Case No. -152 Year- 2012 Thana -KHAZANIHAT District- PURNIA

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Md. Sakim, S/o Md. Majibur Rahman, resident of Village- Shisha Bari
Damka, P.S.- Sadar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Pradeep Ranjan Verma, S/o Late Nr. P.R. Verma, resident of
Mohalla- Line Bazar, P.S.- Khajanchi Hat, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate.

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 22-10-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Purnea, K. Hat P.S. Case No. 152 of 2012 registered under

Sections 406, 420, 465, 467 and 468/34 of the Indian Penal Code.

The accusation of complainant/informant, Prdeep

Ranjan Verma, is that co-accused Ashok Kumar met with him and

told that the petitioner is land broker and he has entered into an

agreement with respect to a land but he is required urgent money

and asked to give Rs.1,00,000/- to the petitioner, so he may

execute the agreement in favour of the complainant/informant

Ashok Kumar then he met with the petitioner and entered into an



agreement in respect to Khata No. 4, Khesra Nos. 871 and 697 measuring area 4 bighas in total consideration amount of Rs.14,60,000/- for sale. After agreement, the complainant/informant handed over Rs.1,00,000/- to the petitioner on assurance to the petitioner to sale the land till 30.04.2010. On 37.01.2010, complainant/informant went to the house of landlord to fix the date of execution of sale deed but the landlord refused and told that, till now, he has not made any agreement nor wanted to sale the aforesaid land. On 15.02.2010, complainant asked the petitioner to return the money but the petitioner refused to return the same.

Learned counsel for the petitioner submits that it is alleged in the F.I.R. that the complainant/informant had given Rs.1,00,000/- and entered into an agreement with the petitioner to sale the land but the said agreement paper is not annexed with the complaint petition, which is the basis of the F.I.R. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six 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 the Chief Judicial Magistrate, Purnia, in connection with K. Hat P.S. Case No. 152 of 2012 (Complainant Case No. 1177 of 2010), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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