

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27607 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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Bhagirath Chaudhary, S/o Shri Ganesh Chaudhary, R/o Madhusudanpur,
P.S - Balia, Dist. - Begusarai, present address as per FIR R/o - A.K. Thakur,
Janki Bhawan, Girjanandan Nagar, in front of DAV School, Khabra, beside
NH - 28 as tenant but at present S/o Alok Chaudhary, Anandpuri Lane No. -
3, Bibiganj, PS - Sadar, Dist. - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Singh

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 11-07-2016

Heard learned counsel for the petitioner, learned
counsel for the Informant and the learned A.P.P. for the State.

The petitioner is accused in connection with Kazi
Mohamdpur P.S. Case No. 97 of 2016, registered under Section
420, 406, 506/34 of the Indian Penal Code.

The accusation is that informant talked to the
petitioner to purchase of one katha of land and negotiation was
finalized to sell one katha of land by the petitioner to the
informant on payment of Rs. 15,00,000/-. Accordingly,
informant paid Rs. 6,58,000/- through bank transaction and Rs.
3,19,000/- handed over to the petitioner and Rs. 40,000/- cash
also paid to the son of the petitioner, but petitioner refused to

execute the sale deed and cheated the informant.

Learned counsel for the petitioner submits that admittedly there was negotiation of sale of one katha of land by the petitioner to the informant on payment of Rs. 15,00,000/-, but only Rs. 6,58,000/- through the bank transaction was done and complaint regarding handing over of Rs. 5,59,000/- to the petitioner and his son is totally false. The petitioner is still ready to return Rs. 6,58,000/-, which has been transferred by the informant in the account of the petitioner. The present case has been lodged only to give undue pressure upon the petitioner so that he may execute the sale deed without payment of full consideration amount. The petitioner is in custody since 13.04.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in connection with Kazi Mohamdpur P.S. Case No.97 of 2016.

(Rajendra Kumar Mishra, J)

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