

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3274 of 2016

Arising Out of PS.Case No. -123 Year- 2015 Thana -TATARPUR District- BHAGALPUR

Shah Abdul Parwez Son of late Shah Abdul Hamid

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

The prosecution case is that one Md. Sultan Arshad @ Raju conveyed to the brother of the informant that Shah Abdul Parwej, Md. Jabazullah Ansari and this petitioner have entered into an agreement for transfer of the land to the informant and they have received Rs. 5,39,000/- as advance.

It is submitted by the learned counsel for the petitioner that transfer has actually not been made and the money which was being taken from Md. Sultan Arshad has already been returned to him. Subsequently, the informant has

retracted from the initial version and an affidavit was filed by Md. Sultan Arshad that he has received all his money. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the nature of accusation and retracted version of the informant, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Chief Judicial Magistrate, Bhagalpur in connection with Tatarpur P.S. Case No. 123 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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