

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30514 of 2016**

Arising Out of PS.Case No. -628 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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Md. Shamim Ansari Son of late Hazi Salim Ansari, Resident of  
Pokharbasti, P.S.- Forbesganj, Dist Araria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4 08-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the  
offences under Sections 406, 420 and 506 of the I.P.C.

The prosecution story, in brief, is that an agreement  
was made between the informant and the petitioner on 25.7.2015  
for sale of the land with residential house for Rs.16 lacs and  
accordingly the informant had given advance of Rs.2,51,000/- to  
the petitioner in presence of the witness but the petitioner neither  
executed the sale deed to the informant nor return the advanced  
money and the petitioner sold the said land and house in favour of  
another person and as such the petitioner cheated the informant.

It has been submitted on behalf of the petitioner that  
the petitioner is in custody since 25.11.2015 and the charge sheet

has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. From perusal of the F.I.R., it is evident that there is no allegation of assault. None is said to have been injured. Due to the family dispute the present prosecution has been brought. No overt act has been alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ashish Ranjan, learned Judicial Magistrate, 1<sup>st</sup> class, Araria in connection with Forbesganj P.S. case No.628 of 2015 (G.R. No.3288 of 2015).

**(Sudhir Singh, J)**

Narendra/-

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