

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39004 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -PATNA COMPLAINT CASE District- PATNA

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Om Narain Singh, son of Late Jeet Narain Singh, resident of village- Karnpura (Bairia), PS- Gaurichak at present- Gopalpur, District- Patna at present residing at Devki Bhawan, West Boring Canal Road, P.S.- Sri Krishna Puri, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pawan Kumar Yadav, son of Late Shankar Prasad, resident of village- Bairia, P.S.- Gauri Chak, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kr Sinha No.2

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 87 C of 2015 registered under Sections 406 and 420 of the Indian Penal Code.

The accusation is that petitioner entered into an agreement with the father of the complainant-opposite party no. 2 and received Rs. 15 lac as part of consideration amount to execute the sale deed in respect to some part of his lands. But in spite of request of the complainant-opposite party no. 2, petitioner refused to execute the sale deed.

Learned counsel for the petitioner submits that, in fact,

there was an agreement in between the father of the complainant- opposite party no. 2 and the petitioner to sale the land. Later on the money was returned to the father of the petitioner but due to ulterior motive the informant has filed this case on the basis of forged agreement to sale. Further submission is that the case as narrated in complaint case is of civil in nature.

Considering the aforesaid submissions, 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 Additional Chief Judicial Magistrate, Patna City, in connection with Complain Case No. 87(C) of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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