

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27487 of 2016

Arising Out of PS.Case No. -1767 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Shashi Shekhar Prasad S/o late Naresh Mohan Prasad Resident of Mohalla-
Purani Kila, Near Forest Department ,P.S Munger District Munger

.... Petitioner/s

Versus

1. The State of Bihar

2. Dr. Shiv Shankar Rajesh S/o late Bishnu Prasad Mohalla- M.P.
Dwevedi Road, P.S. Kotwali District Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Smt. Sahin Begam, A.P.P. 134.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No.1767 of 2015 for the offences instituted
under Sections 406 and 420 of the IPC.

The prosecution story, in brief, is that there was an
agreement between the accused petitioner and the informant to sell
the land for which the informant had paid Rs.3,00,000/- (three
lacs) by way of an advance and it was decided that after payment
of remaining consideration amount of Rs.24,50,000/- the accused
petitioner will have to execute a sale deed within the fixed period.
But the accused petitioner failed to execute the sale deed.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. As per agreement between the parties, the sale deed could not be executed. Regarding the same a suit has also been filed for Specific Performance of Contract Act vide T. Suit No.11/14.

On behalf of the State it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1767 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

AnilKrSinha/-

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