

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41196 of 2016

Arising Out of PS.Case No. -1753 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA
=====

1. Daljeet Kumar Son of Sri Baijnath Prasad resident of village - Kuksa,
Police Station Buniyadganj, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Munna Kumar @ Rahul Kumar Son of Sri Krishn Prasad Gupta resident
of Moh. Tilha (Mahaveer Sthan), P.S. Distt. Gaya

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

Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Sri S.M. Rahman
=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 06-10-2016

Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 1753/2015 for the offence allegedly committed by the petitioner under Section 420 of the Indian Penal Code.

The complainant alleged that petitioner took Rs. 3 lacs from the complainant as part consideration money for selling a piece of land but the petitioner neither executed the sale deed nor returned the money.

It appears that the dispute is of civil nature. If there was any agreement between the parties for purchasing or selling the land, the proper remedy would be a suit for specific performance of contract.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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 R .R. Singh, learned Judicial Magistrate-XVI, Gaya in Complaint Case No. 1753 of 2015 (Tr. No. 1158/ 2016), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--