

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30309 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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Ram Raj Singh son of Late Shyam Raj Singh residence of Village-
Kharokhar, P.S.- Rafiganj, District- Aurangabad, A/p residence of Maharani
Road, Nai Godam, Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1, Adv.

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 14-09-2016 Heard both sides.

The petitioner apprehends his arrest in Rafiganj P.S.
Case No. 15/16, registered for the offences punishable under
Sections 406, 420, 467, 468 and 471 of the Indian Penal Code.

The informant alleged that the petitioner entered into an
agreement to execute a sale deed with regard to 03 acre and 50
decimals of land, but later on the informant came to know that in
the agreement Khata number has wrongly been typed, but the plots
are correct. The petitioner refused to execute the sale-deed
although he has received Rs. 1,00,000/- from the informant.

On the face of the contents of the F.I.R. it appears that
dispute is of civil nature and the proper remedy in this case is suit

for specific performance of the agreement.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the 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 Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 15/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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