

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50274 of 2016

Arising Out of PS.Case No. -65 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

Tinku Kumar Verma @ Tinku Kumar @ Shrawan Kumar, Son of Ramrup Prasad, resident of Kazi Bazar, Bihari Road, Hilsa, P.S. District Nalanda.

.... Petitioner

Versus

1.The State of Bihar.

2. Brahamdev Singh S/o late Kashi Singh Resident of - Station Road, Hilsa, P.S. - Hilsa, District - Nalanda.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Shyamal Prakash, Advocate.

For the State : Mr. J.N. Thakur (App), A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-11-2016 Heard learned counsels for the petitioner, complainant and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 65(C) of 2013 for the offences instituted under Sections 420, 467, 468, 504 and 506 of the IPC.

The prosecution story, in brief, is that the complainant entered into an agreement to purchase a piece of land of the petitioner on consideration money of Rs. 12,24,000/- and on 13.07.2012, the complainant had given Rs. 51,000/- to the petitioner as Bay-Beyana in presence of the witnesses, for which a receipt was made and on 21.11.2012, the complainant gave Rs.



6,35,000/- to the petitioner in presence of the witnesses and it was agreed that the rest amount to be paid after measuring the land. In course of measuring the land, the complainant came to know that the petitioner is not real owner of the said land, and when the complainant asked the petitioner about the ownership of the land, the petitioner did not reply satisfactorily. Thereafter, the complainant demanded his money back but the petitioner did not return his money despite repeated demand and service of legal notice. On 29.01.2013 at about 6.00 A.M., when the complainant alongwith the witnesses went to the petitioner for demanding his money, the petitioner abused, threatened and rushed with pistol to kill the complainant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The matter relates to agreement for sale between the parties. No suit has been filed on behalf of the complainant. The matter relates to civil suit.

On behalf of the learned counsels for the State and the complainant, 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. 65(C) of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Hilsa, Nalanda, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)