

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39290 of 2015

Arising Out of Complaint Case No. -1165(C) Year- 2014 Thana -PATNA COMPLAINT CASE
District- PATNA

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Kamal Kishore Verma, S/o Sr Sidheshwar Sharan Verma, resident of A/P
Flat No.105, Block-C, South Bihar Apartment, Lohanipur, P.S.-
Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Neelam Kumari W/o Manoj Kumar Ambastha, R/o Moh. Gaighat,
P.S.- Alamganj, Distt- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Sharan, Advocate.

For the Opposite Party/s : Mr. Satyavrat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 27-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Section 420 of the Indian Penal
Code.

It has been submitted on behalf of the petitioner that
as per agreement, except Rs.2,51,000/-, he has not received any
further amount and is ready to return the same.

On the other hand, the counsel for the complainant
has submitted that he has paid him a total sum of Rs.17,51,000/-,
but he has not executed the sale deed. To verify this fact, the
counsel for the complainant could not produce any document in



support of it.

It is alleged in the complaint that Rs.5,00,000/- was deposited by the complainant in the account of the petitioner but no such paper has been shown. The main allegation is that he is always ready to make entire payment as per the agreement, but the petitioner is not ready to execute the sale deed.

This Court after looking into the allegations finds that civil remedy is available to the complainant to redress his grievances.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Complaint Case No. 1165(C) of 2014, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri V.P. Modi, Judicial Magistrate, 1st Class, Patna City, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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