

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5874 of 2017

Arising Out of PS.Case No. -27039 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Rabindra Kumar, Son of Ram Jatan Rai, Resident of Village- Mokhdumpur,
P.o.- and P.S.- Digha, District- Patna.

.... Petitioner

Versus

1. The State of Bihar
2. Tangama Thomus, Wife of Mister Thomus, at present resident of
Bajitpur, P.O.- & P.S.- Digha, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar
For the Opposite Party/s : Mr. Umesh Lal Verma

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 21-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 27039 (C) of 2014, registered under Sections 420,
406 of the Indian Penal Code.

The accusation is that complainant got executed the
agreement to sale two katha of land from the petitioner on payment of
advance of Rs. Five lakhs, but in spite of asking the complainant, the
petitioner did not execute the sale deed.

Learned counsel for the petitioner submits that, in fact,
there was agreement in between the petitioner and the complainant to
sell two katha of land by the petitioner on payment of total
consideration amount of Rs. 44,00,000/-. At that time, Rs. Five lakhs



was given by the complainant to the petitioner, as an advance, but due to unwillingness of the complainant to paid the remaining consideration amount, the petitioner returned Rs. Five Lakhs to the complainant on 12.08.2013 and a receiving was also made on the stamp paper with the signature of the petitioner and the complainant, which would appear from Annexure-2. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 27039 (C) of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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