

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35132 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sheikh Doma, Son of Late Sheikh Islam.
 2. Khalikuzama, Son of Late Sheikh Hakik.

.... Petitioner/s

Versus

1. The State of Bihar .
2. Julphekar Alam, Son of Sheikh Bhola,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

4 10-11-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 103C of 2016, registered under Sections 420, 323 and 504 of the Indian Penal Code.

The accusation is that petitioner no. 2 approached to the informant-opposite party no.2, Julphekar Alam, for purchasing of 2.25 dhur land of petitioner no.1. The complainant become ready to purchase the land then petitioner no. 2 asked for payment of Rs.10,000/- to the complainant for mediation. Accordingly, complainant and petitioner no. 2 meet to petitioner no. 1 and on negotiation the price of land was fixed Rs.32,000/-. The petitioner no. 1 executed the sale deed in favour of complainant but petitioner no. 2 did not put his signature on the sale deed as witness saying that he has not I.D. proof at present. On



15.12.2014, the complainant came to know that the sale deed executed by the petitioner no. 1 in mediation of petitioner no. 2 is not belonging to petitioner no.1. As such, petitioners cheated the complainant.

Learned counsel for the petitioners submits that, in fact, petitioner no. 1 entered in mediation for purchasing of 2.25 dhur land of petitioner no. 2 by the complainant on consideration money of Rs.32,000/-, out of which, complainant-opposite party no. 2 paid only Rs.15,000/- and remaining Rs.17,000/- is still due. On demand of remaining amount only to give undue pressure the present case has been lodged with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Bettiah, West Champaran, in connection with Complaint Case No. 103C of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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