

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49015 of 2017

Arising Out of PS.Case No. -974 Year- 2012 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Suhail Meraj, Son of Md. Merajuddin, Resident of Village- Abdulpur,
Police Station- Rafiganj, District- Aurangabad Petitioner

Versus

1. The State of Bihar.
2. Md. Nasim Akhatar, S/o Md. Shakil, Resident of Village- Budhaul,
Police Station- Kasma, District- Aurangabad Opposite Parties

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Appearance :

For the Petitioner : Mr. Nivedita Nirvikar, Adkv.
For the Opposite Parties : Smt Pushpa Sinha, APP 45

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 17-10-2017

Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 974 of 2012 for the offence under Sections 420, 467, 468, 406 and 504 read with 34 of the Indian Penal Code.

The complainant alleged that the petitioner and his father approached the complainant for purchase of 9 decimals of land of plot no. 178/203, khata no. 72/117 situated in village Abdulpur, P.S. Rafiganj, Aurangabad. The complainant paid rupees five lakhs to the father of the petitioner in presence of the petitioner, but, later on the complainant knew that the father of the petitioner owns only 3½ decimals of land.

The learned counsel for the petitioner submits that the petitioner did not receive any money from the complainant. The father of the complainant executed the deed of agreement to sell the land. The dispute is of civil nature.

Considering the facts, aforesaid, and the fact that the petitioner is the son of Md. Merajuddin, who received money and executed the agreement of sale, let the petitioner, above named, in



the event of his arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Complaint Case No. 974 of 2012** to the satisfaction of **Sri Mahavir Prasad, Additional Chief Judicial Magistrate, VIII, Aurangabad**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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