

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14698 of 2017

Arising Out of PS.Case No. -228 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA
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Imran Rizvi, Son of Late Enamul Haque Resident of Village-Hamzapur,
P.S. Amas, District-Gaya.

.... Petitioner

Versus

1. The State of Bihar
2. Jitendra Kumar Singh, Son of Late Ranjit Singh Resident of Village-
Golabazar, P.S. Sherghati, District-gaya.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman
For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 11-07-2017 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. 228 of 2016, registered under Sections 420, 467,
468, 471 and 120-B of the Indian Penal Code and Section 138 of the
N.I. Act.

The allegation of complainant, Jitendra Kumar Singh is
that he along with Mukhtar Khan purchased 1 acre 4 decimals of land
of Khesra No. 824 in village Mahuawa, P.S. Amas, District-Gaya, on
11.12.2012. After purchase, 52 decimals of land came in the share of
the complainant. Thereafter, Md. Zeyauddin and petitioner came to the
house of the complainant and talked to purchase the land of the
complainant on payment of consideration amount of Rs. 12 Lacs and
Rs. 3 lacs was also paid as advance. Thereafter, the sale deed was
drafted on 21.08.2014 showing the consideration amount of Rs.



807000/- due to some problem, but drafted sale deed could not be registered. In spite of request, remaining consideration amount of Rs. 11,00,000/- was not paid to him by the petitioner and Md. Zeyauddin. Thereafter, Panchayati was arranged in which decision was taken and accordingly cheque of Rs. 11,00,000/- was handed over by the petitioner to him to present for encashment and petitioner was permitted to sale the land to others. On instruction of petitioner, the cheque was presented but cheque was dishonoured due to insufficient of money.

Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. Further submission is that similarly situated co-accused Md. Zeyauddin has already been allowed anticipatory bail by this court on 25.04.2017 passed in Criminal Miscellaneous No. 13368 of 2017.

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 A.C.J.M., Gaya in connection with Complaint Case No. 228 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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