

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41398 of 2017

Arising Out of PS.Case No. -81 Year- 2015 Thana -BISHWAMBHARPUR District- GOPALGANJ

=====

1. Yogendra Tiwari Son of Ramadhar Tiwari, R/o Village- Mathiya Sri Ram, P.S.- Tareya Sujana, District- Kushinagar (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case the petitioner apprehends his arrest in Bishambharpur P.S. Case No. 81/2015 for the offences punishable under Sections 467, 468, 471, 406, 420 and 504/34 of the Indian Penal Code.

As per the F.I.R., Rs. 10, 85,000/- was paid as a consideration amount for 1 Bigha 15 Katha of land, but the petitioner on receipt of the same did not execute the sale deed nor returned the money.

Learned counsel for the petitioner submits that the document, on which the informant has placed reliance, does not bear any signature and it cannot be said to be sale proceed has



been given. Further he has submitted that the petitioner has executed the sale deed with respect to other land in which he was paid half of the amount.

Learned counsel for the petitioner further submits that the case is purely of civil nature and should be looked by the concerned court.

Considering the entire facts, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate X, Gopalganj in connection with Bishambharpur P.S. Case No. 81/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shivaji Pandey, J.)

Rakhi

U		T	
---	--	---	--

