

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.150 of 2017

Arising Out of PS.Case No. -361 Year- 2016 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Khwaja Safdar Nezami @ Khwaja Sattar Nezami son of Late Khwaja
Hasan Nezami, resident of Mohalla – Sonartoli, P.O. & P.S. Sasaram,
District- Rohtas

.... Petitioner/s

Versus

1. State of Bihar
2. Parmanand Gupta, son of Heera Sah @ Heera Kanu, resident of
Village- Alampur, P.S. Alampur (Sheosagar) District- Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhouri Vipin Bihari Shrivastava

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 10-01-2017

Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 361 of 2016 registered under Sections- 323
and 420 of the Indian Penal Code.

The allegation against the petitioner is that he
committed fraud with the complainant by selling the already
sold land.

Learned counsel for the petitioner submits that
Khawaja Sarwar Nezami, who happens to be the full brother of
the petitioner, had given power of attorney to the petitioner to
sell the land in question. It is further submitted that the dispute



between the parties is civil in nature. It is further submitted that complainant is a big person of the locality and only to blackmail this petitioner the present false case has been lodged.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri D.K. Rai, Judicial Magistrate, 1st Class, Sasaram, Rohtas, in connection with Complaint Case No. 361 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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