

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41061 of 2017**

Arising Out of PS.Case No. -398 Year- 2016 Thana -MADHEPURA District- MADHEPURA

=====

1. Birendra Yadav, Son of Bhola Yadav, Resident of Village- Chiknotwa,  
P.S.- Ghallardh, District- Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      06-09-2017

Heard the parties.

The petitioner seeks regular bail in connection with Madhepura P.S. Case No.398 of 2016, registered for offences punishable under Sections 406 and 420 of the Indian Penal Code.

Petitioner was earlier granted provisional anticipatory bail for a period of three months vide order dated 20.02.2017, passed in Cr. Misc. No.7465 of 2017 with condition that he will execute the sale deed as undertaken by him in favour of the informant and on that his bail shall be confirmed by the court below. However, this application has been filed with a prayer that petitioner was ready to execute the sale deed but the informant was not ready as she was demanding 3 bighas of land but the petitioner does not have 3 bighas of land with him. He had only 1 bigha and 16 kathas of land and he is ready to execute the sale deed of 1 bigha and 16 kathas of land and



now he is in custody for three months.

Heard learned A.P.P. as well as learned counsel for the informant also.

Learned counsel for the informant has denied the allegation that she is demanding 3 bighas of land. It is submitted that she is still ready to accept 1 bigha and 16 kathas of land.

In such view of the matter, this application is disposed of with a direction to the petitioner to execute the sale deed in favour of the informant within a period of four months. In the meantime, petitioner will be released on provisional bail by the court below to its own satisfaction for a period of four months and after execution of the sale deed, on being satisfied, provisional bail granted to the petitioner shall be confirmed by the learned court below.

It is expected that once the sale deed is executed in favour of the informant, both the parties will not pursue the matters and try to settle the dispute outside the court.

With the aforesaid observations, this application is disposed of.

**(Vinod Kumar Sinha, J.)**

S.Kumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

