

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41443 of 2017**

Arising Out of Complaint Case No. -3292 Year- 2015 -PATNA COMPLAINT CASE District-  
PATNA

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1. Minoti Prabha wife of Late Krishna Kumar, Resident of Mohalla-  
Sabzibagh, P.S.- Pirmahore, Town and District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Ashok Kumar, son of Yogendra Prasad, Resident of Mohalla Daldali  
Road, Kadamkuan, P.S.- Kadamkuan, District- Patna.

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

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**Appearance :**

For the Petitioner/s : Mr. Manendra Kumar Sinha

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

4      13-11-2017

Heard both sides.

The petitioner apprehends his arrest in Complaint  
case No. 3292 (C)/2015 for the offences allegedly committed by  
the petitioner under Section 406, 417 of the Indian Penal Code.

The complainant alleged that, after much persuasion,  
he agreed to purchase a piece of 1 ½ katha land of petitioner for  
Rs. 25 lacs. The complainant paid Rs. five lacs to the petitioner  
and the deed for agreement to sale was executed but even after  
much persuasion the petitioner did not execute the sale deed and  
she thereafter sold the land to someone else.

The learned counsel for the petitioner submits that



petitioner never entered into any agreement with the complainant to sale her land and the complainant forged the signature of petitioner on the deed of agreement to sale.

It appears that the petitioner disputed her signature on the deed of agreement to sale and the dispute appears to be purely of civil nature.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Madhvi Singh, learned Judicial Magistrate, 1<sup>st</sup> class, Patna in connection with Complaint case No. 3292 (C) of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/-

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