

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51355 of 2017**

Arising Out of PS.Case No. -974 Year- 2012 Thana -AURANGABAD COMPLAINT CASE  
District- AURANGABAD

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Md. Merajuddin, son of Late Md. Ismile, Resident of village-Abdulpur, P.s. Rafiganj, District-Aurangabad.

.... .... Petitioner

Versus

1. The State of Bihar,
2. Md. Nasim Akhatar, son of Md. Shakil, Resident of village-Budhaul, P.s. Kasma, District-Aurangabad.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Nivedita Nirvikar

For the Opposite Party/s : Mr. Dr. Indihar Kumari

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

2      31-10-2017                      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. 974 of 2012, registered under Sections 420, 467, 468, 406 and 504/34 of the Indian Penal Code.

The accusation is that petitioner along with his son Suhail Meraj approached to the complainant for selling 9 decimal of land covering under Plot No. 178/203 situated in village Abdulpur. On negotiation, Rs. 12 lakhs was fixed for the said land, accordingly, complainant handed over Rs. 5 Lakhs to the petitioner and remaining Rs. 7 Lakhs was decided to be paid at the time of registration of the sale deed. The agreement to sale was also prepared on stamp paper of Rs. 20/-, but later on complainant came to know that the said of the



petitioner is in dispute with one Md. Shahid.

Learned counsel for the petitioner submits that admittedly 9 decimals of the land belonging to the petitioner is in dispute with Md. Shahid and due to that reason the petitioner filed the Title Suit No. 83 of 2012, which is pending in the court of Sub-Judge-I, Aurangabad. The petitioner never approached to the informant for selling the said land. Further submission is that, in fact, Md. Shahid has managed to lodge the present case through the informant/complainant.

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 Addl. Chief Judicial Magistrate-VIII, Aurangabad in connection with Complaint Case no. 974 of 2012, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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