

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34217 of 2018

Arising Out of PS.Case No. -402 Year- 2017 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Raja Paswan, S/o Ramdeo Paswan, resident of Village- Jungli Tola Mathar, P.S. Mufassil, District- Khagaria, At present resident of Village- Bachhauta Punarvas Tola, P.S.- Morkahi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Nunuday Devi, W/o Jattadhari Tanti, resident of Village- Naya Punarvas Tola, P.S. Morkahi, District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner, learned
counsel for the complainant as well as learned A.P.P.

The petitioner apprehends his arrest in Complaint Case No.402C of 2017 registered under Sections 420, 467, 468, 471, 120B, 354(B), 379, 504, 506/34 of the Indian Penal Code.

The complainant alleged that Ramdeo Paswan and the petitioner, Raja Paswan came and disclosed that Ramdeo Paswan got a piece of land. He wanted to sell the land. Since he was need of money on such the complainant paid Rs.1,13,000/- and got a sale deed registered but later on, complainant knew that no land was standing in the name of Ramdeo Paswan.

The learned counsel for the petitioner submits that petitioner is neither the executant of the sale deed nor a witness of



the sale deed. The petitioner never persuaded the complainant to purchase the land. The petitioner has falsely been implicated in the case only because he happens to be son of Ramdeo Paswan who is said to have executed the sale deed.

On the other hand, learned counsel for the complainant has submitted that the petitioner is alleged to have torn the cloth of the complainant and offence under Section 354 (B) I.P.C. is made out.

Considering the facts aforesaid that the complainant alleged after getting the sale deed registered that no land stands in the name of Ramdeo Paswan and petitioner happens to be son of Ramdeo Paswan, 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 learned Sub Divisional Judicial Magistrate, Khagaria in connection with Complaint Case No.402C of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)