

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73694 of 2018

Arising Out of PS. Case No.-474 Year-2015 Thana- PURNEA SADAR District- Purnia

Md. Hasim, Son of Late Md. Wazul Haque, Resident of Village- Zero Mile
Gulabbagh P.S. Sadar District Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406/420 of the Indian Penal Code.

The prosecution case is that the informant entered into an agreement with the petitioner for purchase of a particular piece of land for consideration amount of Rs.42,00,000/- (Forty Two Lacs) and at time of agreement Rs.40,00,000/- (Forty Lacs) was given to the petitioner when it was agreed between both the parties that remaining Rs.2,00,000/- will be paid at the time of registration of the land. But the petitioner failed to execute the sale deed, hence, the registration of the land could not be made.

It is submitted by learned counsel for the petitioner that the



petitioner denied the factum of agreement and the petitioner never took Rs.40,000,00/- in cash. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the thrust of accusation is against the petitioner.

Considering the accusation arising out of civil nature of dispute, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned CJM, Purnea, in connection with Sadar P.S. Case No.474 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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