

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31162 of 2018

Arising Out of PS.Case No. -235 Year- 2017 Thana -SHEOHAR District- SHEOHAR

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Sunil Kumar, Son of Late Raj Mangal Singh, resident of Village- Kusahar,
Police Station- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prakash Kumar Sharma, son of Sri Dharni Raman Sharma, resident of
village Khairwa Darp, P.S. & Distt. Sheohar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Smt. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 13-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Sheohar P.S.**

Case No. 235 of 2017 instituted for the offence under Sections
420 and 409 of the Indian Penal Code.

It is alleged by the informant that agreement for sale
of the land in question was prepared which was fixed for total
consideration money of Rs.25,00,000/-. The informant has paid
Rs.10,00,000/- advance as mentioned in *Mahadnama*, on
16.11.2015. He paid remaining amount of Rs.15,00,000/- in
presence of witnesses on 10.8.2016 but sale deed was not
executed. Copy of *Mahadnama* which is part of the First
Information Report is enclosed.



Learned counsel for the petitioner has submitted that petitioner has filed suit for specific performance of contract vide Title Suit No. 1 of 2018.

From perusal of written report it appears that informant has paid a sum of Rs.10,00,000/- in advance and remaining amount of consideration money of Rs.15,00,000/- was paid on 10.8.2016. But the sale deed has not been executed.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

(Sanjay Priya, J)

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